CITY OF LOS ANGELES

GUIDELINES FOR THE IMPLEMENTATION OF THE

CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970

(Los Angeles City CEQA Guidelines)

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TABLE OF CONTENTS

Page			
I-1	 GENERAL	I:	ARTICLE
II-1	 DEFINITIONS	II:	ARTICLE
III-1	APPLICATION OF CEQA TO THE ACTIVITIES OF THE CITY OF LOS ANGELES	III:	ARTICLE
IV-1	 INITIAL STUDY	IV:	ARTICLE
V-1	 NEGATIVE DECLARATION	V:	ARTICLE
VI-1	 PREPARATION AND PROCESSING OF EIRS	VI:	ARTICLE
VII-1	 CATEGORICAL EXEMPTIONS	VII:	ARTICLE
VIII-1	ADDITIONAL ENVIRONMENTAL ASSESSMENT AFTER AN EIR OR A NEGATIVE DECLARATI HAS BEEN CERTIFIED AS COMPLETE	VIII:	ARTICLE
IX-1	PROCEDURES FOR COMPLYING WITH CEQA WHERE THE CITY OF LOS ANGELES IS A RESPONSIBLE AGENCY	IX:	ARTICLE
X-1	 TIME LIMITATIONS FOR THE PROCESSING OF ENVIRONMENTAL DOCUMENTS	х:	ARTICLE
A-1	 PENDICES	APP	

ARTICLE I: GENERAL

			Page
Section 1	Short !	Title	I-1
Section 2	Author	ity	I-1
Section 3	Purpose	e	I-1
Section 4	Applica	ability	I-1
Section 5	b. Use Rep c. Ind d. Tir	e of an Initial Study	I-2 I-4
Section 6	of Thesa. In b. De	Responsibilities for Implementation se Guidelines	I-6 I-6
	c. Pro	cuments	I-7 I-7 I-8
	Age h. Tir i. Ore (1 (2 j. De	encies	I-10 I-10 I-10 I-10 I-10
Section 7	Fees		I-11
Section 8	City Co	ouncil and Director of Planning ity to Require EIR	I-12

ARTICLE II: DEFINITIONS

		Separate Company of the Company of t	Page
Section	1	Applicant	II-1
Section	2	Approval	II-1
		the Annual City Budget (2) Projects Funded by Assessment	
		Proceedings	-
		ment Expenditure Program	II-1
		(2) General Plan and Zoning Amendments .(3) Easement Vacations	II-2
		c. Projects to be Funded or Partially Funded by the City But Not Carried Out by the	
		d. Private Projects	
Section	3	California Environmental Quality Act (CEQA).	II-2
Section	4	Categorical Exemption	II-2
Section	5	CEQA	II-2
Section	5.5	Cumulative Impacts	II - 3
Section	6	Decision-Making Body	II - 3
Section	7	Deleted	II - 3
Section	8	Discretionary Project	II - 3
Section	9	Emergency	II-3
Section	10	Environment	II-4
Section	11	Environmental Documents	II-4
	12	Environmental Impact Report (EIR)	II-4 II-4 II-4 II-4
Section	13	Environmental Impact Statement (EIS)	II-5

ARTICLE II (Cont'd)

			Page
Section	14	Feasible	II - 5
Section	15	Feasibility and Planning Studies	II - 5
Section	15.5	General Exemption	II - 5
Section	16	Initial Study	II - 5
Section	17	Lead Agency	II - 5
Section	18	Lead City Agency	II - 6
Section	19	Local Agency	II - 6
Section	20	Ministerial Projects	II - 6
Section	20.5	Mitigation	II-6
Section	21	National Environmental Policy Act (NEPA)	II-7
Section	22	Negative Declaration	II-7
Section	23	NEPA	II - 7
Section	24	Notice of Completion	II-7
Section	25	Notice of Determination	II-7
Section	26	Notice of Exemption	II-7
Section	26.5	Notice of Preparation	II-8
Section	27	Participating City Agency	II - 8
Section	28	Person	II-8
Section	29	Persons with Special Expertise	II-8
Section	30	Project	II - 9
Section	31	Project Sponsor	II - 9
Section	32	Proprietary Department	II - 9
Section	33	Public Agency	II-9
Section	34	Recirculation	I-10

ARTICLE II (Cont'd)

		Page
Section 35	Responsible Agency	11-10
Section 36	Significant Effect	11-10
Section 37	State EIR Guidelines	11-10
Section 38	Statement of Overriding Considerations	11-10
Section 39	Supporting Data	II - 10
Section 40	Terminology	11-11
Section 41	Tiering	II-11
Section 42	Trustee Agency	II-11
Section 43	Urbanized Area	II - 12

ARTICLE III: APPLICATION OF CEQA TO THE ACTIVITIES OF THE CITY OF LOS ANGELES

		Page
Section 1	General Rule and General Exemption	III-1
Section 2	Exempt Activities a. Emergency Projects b. Ministerial Projects c. Categorical Exemptions d. Feasibility and Planning Studies e. Proposals for Legislation f. Continuing Administrative, Maintenance and Personnel-Related Activities g. Submittal to the Electorate h. Activity Specifically Exempted From CEQA i. Activity for Which Underlying Project Has Previously Been Evaluated According to Requirement of These Guidelines j. Projects which are rejected or Disapproved k. Power Plant sites or Facilities l. Olympic Games	
	m. Ordinances that do not Impact on the Physical Environment	III-6 III-6 III-6 III-7 III-7 III-7
Section 3	Notice of Exemption	III-8
Section 4	Redevelopment Projects	III-9 III-9 III-10

ARTICLE III (Cont'd)

		Page
	(1) CRA	III-10 III-10
Section 5	Projects Involving Federal Approval or Funding	III-11 III-11
Section 6	Multiproject Environmental Reviews a. Phased Projects	III-12 III-13 III-13 III-14 III-14 III-16 III-17
Section 6.5	Use of a General Plan EIR with Subsequent Projects	III-18
Section 7	Housing and Neighborhood Commercial Facilities in Urbanized Areas	III - 18
Section 8	Ongoing Projects	III-20

ARTICLE IV: INITIAL STUDY

			Page
Section	1	General	IV-1
Section	1.5	Purposes of an Initial Study	IV-1
Section	1.6	Uses of an Initial Study	IV-1
Section	1.7	Consultation with Responsible Agencies and Trustee Agencies	IV-2
Section	2	Preparation of the Initial Study	IV-2 IV-3 IV-3
Section	3	Determining Significant Effect on the Environment	IV-4 IV-4
Section	4	Mitigation Measures	IV-5
Section	5	Consideration of the Initial Study a. General	
		Making Body	IV-6

ARTICLE V: NEGATIVE DECLARATION

			Page
Section	1	Preparation of the Negative Declaration	V-1
Section	2	Content of the Negative Declaration	V-1
Section	3	Deleted	
Section	4	Public Review	V-1 V-2 V-2 V-2 V-2
Section	5	Notice a. Required Notice b. Additional Notice (1) Posting (2) Direct mailing	
Section	6	Consideration of the Negative Declaration by the Decision-Making Body	V-3 V-4 V-4 V-4
Section	7	Notice of Determination	V-5 V-5 V-5 V-6

ARTICLE VI: PREPARATION AND PROCESSING OF EIRS

					Page
Section	1	Prep	arati	on of the EIR	VI-1
Section	1.5		Respo	nsultation	
		c.	of th	The Environment Effects The Project	VI-3
Section	2	The a.	Conte (1) (2)	ents Description of the Project Brief Overview of the Project's Environmental Setting (a) Existing Conditions (b) Related Projects (c) Applicable General, Specific and Regional Plans	VI-4 VI-5 VI-5 VI-5 VI-5
				Environmental Impacts of the Proposed Project	VI-5 VI-6 VI-6
			(5)	<pre>(c) Mitigation Measures</pre>	VI-6 VI-6 VI-7 VI-8
		b. c.	Degre Appen	(b) Irreversible Environmental Changes Which Would be Involved in the Proposed Project if it Is Implemented	VI-8 VI-9 VI-9

ARTICLE VI (Cont'd)

		Page
	(2) Data Sources	VI-12
	 e. Use of Environmental Information Submitted by a Project Applicant f. Summary, Summary Sheet and Table of 	VI-12
	Contents or Index	VI-12
	g. Effects Found Not to be Significant	VI-12
	h. Guidelines for Drafting the EIR	VI-13
		VI-13
		VI-13
	(3) Order of Discussion of Impacts(4) Statement re Insignificant	VI-13
	Effects	VI-13
		VI-14
		VI-14
		VI-14 VI-14
	(8) Degree of Analysis Required i. EIR as Part of General Plan	VI-15
	i. Eik as rait of General Flan	A1-T2
Section 3	Notice of Completion	VI-15
	a. State Notice	VI-15
	b. Local Notice	VI-15
	c. Additional Notice	VI-16
		VI-16
	(2) Direct Mailing	VI-16
Section 4	Public Review	VI-16
	a. Agencies That Shall be Consulted	VI-16
	b. Persons That Should be Consulted	VI-16
	c. Review by the General Public	
	d. Commencement of the Public Review Period	VI-17
	e. Review Periods	
	f. Failure to Comment	VI-17
Section 5	Review by State Agencies	VI-17
	be Submitted to State Clearinghouse	VI-17
	b. Review Period	VI-18
	c. State Agency with Special Expertise	VI-18
		VI 10
Section 5.5	Projects of Statewide, Regional or	T7T 10
	Areawide Significance	VI-18
Section 6	Public Hearings	VI-20
	a. When Necessary	VI-20
	b. Who May Conduct the Hearing	VI-21

ARTICLE VI (Cont'd)

				Page
		c.	Utilization of Hearings Otherwise Required	VI-21
Section	7	a. b. c. d.	Final EIR	VI-21 VI-22 VI-22 VI-22
Section	8	a.	· · · · · · · · · · · · · · · · · · ·	VI-23 VI-23 VI-23
Section	9	the a. b. c.	Submittal of EIR to Decision-Making Body	VI-24 VI-24 VI-24 VI-25 VI-25 VI-25 VI-25
Section	9.5	a. b.	Duty to Mitigate or Avoid Significant Environmental Effects	VI-26
		d.	Concurrent Jurisdiction with Another Agency	VI-26 VI-26
Section	10	a. b.	tement of Overriding Considerations When Required	VI-27 VI-27

ARTICLE VI (Cont'd)

		Page
	d. Finding re Benefits of Projecte. Inclusion in Record of Project Approval	
Section 11	Notice of Determination	VI-28 VI-29 VI-29

ARTICLE VII: CATEGORICAL EXEMPTIONS

				Page
Section 1		sses o	f Ca	tegorical Exemptions VII-1
	a.	Class	1:	Existing Facilities VII-1
		Class		Replacement or Reconstruction VII-7
	C.	Class	3:	New Construction of Small
				Structures VII-8
	d.	Class	4:	Minor Alterations to Land VII-11
	e.	Class	5:	Alterations in Land Use
		~1		Limitations VII-13
		Class		Information Collection VII-17
	g.	Class	/:	Actions by Regulatory Agencies for Protection of Natural
	,			Resources VII-18
	h.	Class	8:	Actions by Regulatory Agencies for Protection of the
				Environment VII-19
	i.	Class	9:	Inspections VII-20
				Loans VII-21
				Accessory Structures VII-22
	1.			Surplus Government Property
				Sales VII-24
	m.	Class	13:	Acquisition of Lands for Wildlife Conservation
				Purposes VII-25
	n.			Minor Additions to Schools . VII-26
	0.	Class	15:	Minor Land Divisions VII-27
	p.	Class	16:	Transfer of Ownership in Land In Order to
				Create Parks VII-28
	~	01200	17.	Onen Chago Contracts
	ď.	Class	1/:	Open Space Contracts or Easements VII-29
	~	01200	10.	
	r.	Class	10:	Designation of Wilderness
	~	01	10.	Areas VII-30 Annexations of Existing
	s.	Class	19:	Facilities and Lots
	_	01.000	20.	For Exempt Facilities VII-31
	t.	Class	20:	Changes in Organization
		01	27.	of Local Agencies VII-32
	u.	Class	21:	Enforcement Actions by Regulatory Agencies VII-33
		01200	22.	Educational or Training
	V.	CIASS	22:	Programs VII-34
	7.7	Clacc	23.	Normal Operations of Facilities
	W.	Class	25:	for Public Gatherings VII-35
	v	Class	24.	Regulation of Working
	х.	Class	24:	Conditions VII-36
	7.7	Class	25.	Transfers of Ownership in Interests
	у.	CIASS	25.	in Land to Preserve Open Space VII-37

ARTICLE VII (cont'd)

		<u>Page</u>
		z. Class 26: Acquisition of Housing for Housing Assistance Programs . VII-38
		aa. Class 27: Leasing New Facilities VII-39
Section	2	Procedures for Adding Categorical Exemptions VII-40 a. New Classes VII-40 b. New Exemptions Under Existing Classes . VII-40
Section	3	Relation to Ministerial Projects VII-40
Section	4	Exceptions

ARTICLE VIII: ADDITIONAL ENVIRONMENTAL ASSESSMENT AFTER AN EIR OR NEGATIVE DECLARATION

HAS BEEN CERTIFIED AS COMPLETE

		<u>Pag</u>	e
Section	1	General Rules VIII-	1
Section	2	Procedures Where Project Has Not Been Approved VIII-	2
Section	3	Procedures Where Project has Been Approved VIII- a. Private Projects VIII- b. Public Projects VIII-	2
Section	4	Supplement to an EIR VIII-	4

ARTICLE IX: PROCEDURES FOR COMPLYING WITH CEQA WHERE THE CITY OF LOS ANGELES IS A RESPONSIBLE AGENCY

			Page
Section	1	General	IX-1
Section	2	Determination of Responsibility for Complying with CEQA Where the City of Los Angeles is a Responsible Agency	IX-1 IX-1
Section	3.	Response to a Request for Consultation	IX-1
Section	4.	Decision on Adequacy of Final EIR or Negative Declaration	IX-2
Section	5.	Consideration of the Final EIR of Negative Declaration by the Decision- Making Body	IX-3
Section	6	Duty to Mitigate or Avoid Environ- mental Damage Where the City of Los Angeles is a Responsible Agency	IX-3
Section	7	Statement of Overriding Considerations	IX-4
Section	8	Conditional Approval	IX-4
Section	9	Notice of Determination	IX-4

ARTICLE X: TIME LIMITATIONS FOR THE PROCESSING OF ENVIRONMENTAL DOCUMENTS

			Page
Section	1.	Projects Not Involving Federal Approval or Funding	X-1
Section	2	Extensions of the Time Limitations	X-1
Section	3	Projects involving Federal Approval of Funding - Waiver of Time Limitations	X-2
Section	4	Projects with Short Time Periods for Decision	X-2

APPENDICES

		Page
Α.	Notice of Exemption	A-1
В.	Summary Sheet	B-1
C.	Negative Declaration	C-1
D.	Notice of Determination	D-1
E.	Notice of Completion	E-1
F.	Energy Conservation	F-1
G.	Factors to be Considered in Determining	
	Significant Effect	G-1
H _. .	Environmental Information Form	H-1
I.	Initial Study Checklist	I-1
J.	General Exemption	J-1
к.	Notice of Preparation	K-1



ARTICLE I. GENERAL

- 1. Short Title. These Guidelines may be cited as the Los Angeles City CEQA Guidelines.
- 2. Authority. These Guidelines have been adopted pursuant to the requirements of Section 15050(c) of the State EIR Guidelines. To the extent matters addressed in the State EIR Guidelines have not been addressed in these Guidelines, the State EIR Guidelines are incorporated herein by reference.
- 3. Purpose. The purpose of these Guidelines is to provide all agencies of the City of Los Angeles with objectives, criteria and specific procedures for the evaluation of projects and the preparation of environmental documents.

4. Applicability.

These Guidelines are binding on all City agencies, including the proprietary departments, in the implementation of the California Environmental Quality Act (CEQA). Any draft EIR or Negative Declaration completed and sent out for public review before January 27, 1981, in compliance with these Guidelines as constituted on January 26, 1981, shall be deemed to be in compliance with these Guidelines, and no further EIR or Negative Declaration shall be required except as provided in Article VIII of these Guidelines.

Policy. The policy of the City of Los Angeles is to achieve compliance with the intent and provisions of CEQA.* In carrying out this policy, City Agencies shall prepare required environmental documents at the earliest practicable stage of each project's development, so that the EIR can be used as a tool to enable environmental constraints and opportunities to be considered during project planning.

(Continued)

^{*} The courts of this state have found the following policies to be implicit in CEQA:

⁽¹⁾ The EIR requirement is the heart of CEQA. (County of Inyo v. Yorty, 32 Cal.App.3d 795.)

a. Use of an Initial Study.

A preliminary assessment in the form of an Initial Study shall be conducted for all projects subject to the environmental assessment process unless it is clear than an EIR is necessary and will be prepared. The Initial Study shall provide a basis for determining whether the project may have a significant effect on the environment and, therefore, whether an EIR or a Negative Declaration will be required. The Initial Study will identify the aspects of the environment in which significant impacts might reasonably be expected to occur.

b. Use of an Environmental Impact Report (EIR).

(1) An EIR is an informational document that, when prepared in accordance with CEQA and these Guidelines, is intended to accomplish the following:

(Continued)

- (2) The EIR serves not only to protect the environment but also to demonstrate to the public that it is being protected. (County of Inyo v. Yorty, 32 Cal. App. 3d 795).
- (3) The EIR is to inform other governmental agencies and the public generally of the environmental impact of a proposed project. (No Oil, Inc. v. City of Los Angeles, 13 C. 3d 68.)
- (4) The EIR is to demonstrate to an apprehensive citizenry that the agency has in fact analyzed and considered the ecological implications of its action. (People ex rel. Department of Public Works v. Bosio, 47 Cal. App. 3d 495.)
- (5) The EIR process will enable the public to determine the environmental and economic values of their elected and appointed officials thus allowing for appropriate action come election day should a majority of the voters disagree. (People v. County of Kern, 39 Cal. App. 3d 830.)
- (6) CEQA was intended to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language. (Friends of Mammoth v. Board of Supervisors, 8 C. 3d 247.)

- (a) Inform City Decision-Making Bodies of the environmental effects of projects they propose to carry out or approve.
- (b) Examine alternatives and institute mitigation measures that will reduce the impact of the project on the environment.
- (c) Provide other public agencies and the public with an opportunity to furnish input to the City's Decision-Making Bodies on environmental issues.
- (d) Allow City Decision-Making Bodies an opportunity to balance environmental objectives with safety, health, economic and social objectives.
- (2) Discussions in an EIR shall be as concise as possible and contain only such data as is relevant to the significant environmental issues addressed in the EIR.* The environmental impact analysis of an EIR, as specified in Section 2a(3) of Article VI of these Guidelines, shall be limited to the significant environmental impacts identified in the Initial Study, or during preparation and processing of the EIR, together with any significant beneficial environmental impacts of the project. The Initial Study shall be attached to the EIR as an appendix and will constitute the record of the Lead City Agency that all other possible environmental impacts of the project have been considered and determined to be insignificant.
- (3) The content of EIRs shall conform to the strict CEQA definition of "environment" and shall not discuss social or economic concerns. The EIR shall contain social and/or economic data only when necessary for an adequate discussion of an environmental issue or to determine the feasibility of a mitigation measure or alternative.

^{*} The purpose of CEQA is not to generate paper, but to compel government on all levels to make decisions with environmental consequences in mind. Statement of the California Supreme Court in Bozung v. Local Agency Formation Commission of Ventura County, 13 Cal.3d 263 at 283 (1975).

Social and economic information may be submitted by a project sponsor and made available to the Decision-Making Body but such information shall not be included in the EIR.* Such information may be circulated with the draft EIR for public review if so requested by the applicant.

- (4) The EIR shall not be used as an instrument to rationalize approval of a project.
- (5) Information developed in individual EIRs should be incorporated into a data base which can be used to reduce delay and duplication in preparation of subsequent EIRs.

c. Indications of Adverse Impact.

- (1) CEQA requires all City Decision-Making Bodies to consider the impacts of a proposed project on the environment, both short-term and long-term. Indications of adverse impacts, as set forth in an EIR, do not require that a project be disapproved;** however, each City Decision-Making Body shall mitigate or avoid the significant effects on the environment of projects it approves or carries out, to the extent it is feasible to do so.
- (2) While CEQA requires that major consideration be given to preventing environmental damage, in the event that economic, social, technological, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a Decision-Making Body, provided that the project

^{*} This policy relates only to those factors to be discussed in an EIR and shall not be interpreted to relieve Lead City Agencies of their obligation, apart from the environmental review process, to inform City Decision-Making Bodies of all significant ramifications of a proposed project, whether they be positive or negative, social, economic, health, safety or environmental.

^{**} Note, however, that pursuant to provisions of the Subdivision Map Act (Government Code Section 66474.61(e)), a proposed subdivision must be disapproved if it "is likely to cause substantial environmental damage."

is otherwise permissible under applicable laws and regulations. In such event, the Decision-Making Body shall set forth in a Statement of Overriding Considerations other public objectives involved that justify the project despite its substantial adverse impact on the environment.

d. Time of Preparation of Environmental Documents.

- (1) Environmental documents are useful planning tools to enable environmental constraints and opportunities to be considered before project plans are finalized.
- (2) Preparation of environmental documents should commence as early as feasible in the planning process to enable environmental considerations to influence project program and design.
 - (a) With public projects, at the earliest feasible time, project sponsors shall incorporate environmental considerations into project conceptualization, design and planning.
 - (b) With private projects, the Lead City Agency shall encourage the project proponent to incorporate environmental considerations into project conceptualization, design and planning at the earliest feasible time.
 - (c) The environmental review process is intended to enable City agencies to determine whether a project may have a significant effect on the environment, to examine and institute methods of reducing or avoiding adverse impacts, and to consider alternatives to the proposed project. This process of evaluation and analysis, which is embodied in the environmental documents, must be completed prior to approval of the project.
- (3) The environmental document preparation and review should be coordinated in a timely fashion with the existing planning, review and project approval processes being used by each Lead City Agency.

6. General Responsibilities for Implementation of These Guidelines.

a. In General.

Except as provided in Section 6g of Article III of these Guidelines, the following shall apply:

- (1) All City agencies are responsible for complying with CEQA and these Guidelines.
- (2) The Lead City Agency is responsible for the adequacy and objectivity of the draft and final EIRs, whether the Lead City Agency prepares the EIR, accepts information from a project applicant in the form of a draft EIR prepared under the supervision of the Lead City Agency, or contracts with a consultant to do the preparation.
- (3) Each Lead City Agency shall make copies of environmental documents available for public inspection. Citizens desiring reproductions of these documents shall be charged a fee in accordance with prevailing City policies. Copies of environmental documents must be provided if the person requesting the document is willing to pay the reproduction costs.

b. <u>Determination of Responsibility for Preparation of Environmental Documents.</u>

- (1) Where the City of Los Angeles is the Lead Agency, the environmental documents for a project shall be prepared by the Lead City Agency, as defined in Section 18 of Article II of these Guidelines.
- (2) Where the City of Los Angeles is not the Lead Agency for a project that must be approved by a Decision-Making Body of the City, the City will be a Responsible Agency and the appropriate Decision-Making Body need only certify that it has reviewed the EIR or Negative Declaration prepared by the Lead Agency and has considered the information contained therein in making its decision on the project.
- (3) Where the City of Los Angeles has prezoned an area, it will be the appropriate Lead Agency for any subsequent annexation of the area and shall prepare the required environmental document at the time of the prezoning. The Lead City Agency shall consult with the Local Agency Formation Commission during the preparation of the document and shall

include its comments in any EIR prepared for the prezoning.

- (4) Where the City of Los Angeles is called upon to grant an approval for a project subject to CEQA for which another public agency was the appropriate Lead Agency, the City of Los Angeles shall begin to act as the Lead Agency when the following conditions occur:
 - (a) The original Lead Agency did not prepare any environmental documents for the project, and the statute of limitations has expired for a challenge to the action of the original Lead Agency.
 - (b) The original Lead Agency prepared environmental documents for the project, but the following conditions occur:
 - (i) A subsequent EIR is required pursuant to Article VIII of these Guidelines,
 - (ii) The original Lead Agency has granted a final approval for the project, and
 - (iii) The Statute of limitations for challenging the original Lead Agency's action under CEQA has expired.
 - (c) The original Lead Agency prepared inadequate environmental documents without consulting with the City of Los Angeles as required by Section 15066 of the State EIR Guidelines, and the statute of limitations has expired for a challenge to the action of the original Lead Agency.
- c. Projects That Have Been Mandated by a State Agency. If a City project has been mandated by a State agency, the EIR prepared by the Lead City Agency shall be limited to consideration of those factors and alternatives which do not conflict with the order.*
- d. Office of Environmental Quality.

The Office of Environmental Quality shall have the following responsibilities with respect to the implementation of CEQA by the City of Los Angeles:

^{*} Public Resources Code, Section 21154.

- (1) The Office of Environmental Quality may review and comment on environmental documents prepared by any Lead City Agency.
- (2) The Office of Environmental Quality may hold hearings on draft EIRs at the request of the Lead City Agency or the City Council. Such public hearings shall be held near the end of the public review period. The Office of Environmental Quality shall provide the Lead City Agency with opportunity to participate in the hearings.
- (3) The personnel and facilities of the Office of Environmental Quality shall be available to any City department, bureau or officer upon request to aid in the evaluation of the environmental impact of projects and the preparation of appropriate environmental documents.
- (4) The Office of Environmental Quality shall work closely with the Office of the Chief Legislative Analyst to keep the City Council informed of proposed changes in environmental laws and regulations, and shall make recommendations to the City Council's State, County and Federal Affairs Committee regarding the most appropriate City position on such proposed changes.
- (5) Where projects of other public agencies may impact on the environment of the City of Los Angeles, the Office of Environmental Quality shall monitor the environmental analyses for such projects, ensure that appropriate City agencies are provided an opportunity to review EIRs and Negative Declarations for such projects, and make such reports to the City Council as are appropriate. If an official of a City agency becomes aware of such a project, the official shall immediately notify the Office of Environmental Quality.

e. City Administrative Officer.

The City Administrative Officer shall prescribe the necessary forms for implementation of these Guidelines.

f. City Clerk.

(1) In all cases where environmental documents have been submitted to the City Council as a Decision-Making Body for its consideration, the City Clerk shall be responsible for the following:

- (a) Copies of EIRs and Negative Declarations shall be delivered to each Council member concurrent with the Council Calendar containing the item for which the documents would be considered by the City Council.
- (b) The City Clerk shall file appropriate Notices of Determination with the County Clerk of the county or counties where the project will be located no later than one week after City Council action on projects with EIRs or Negative Declarations. Such Notices of Determination shall be prepared by the Lead City Agency and forwarded to the City Clerk prior to City Council action on the project.
- (2) The City Clerk shall make copies of these Guidelines available for sale to the general public.
- (3) The City Clerk shall act as a depository for all environmental documents prepared by Lead City Agencies and shall make such documents available for public inspection.
- (4) The City Clerk shall coordinate the publishing of newspaper notices required by Section 5 of Article V and Section 3 of Article VI of these Guidelines.

g. Comments on EIRs of Other Public Agencies.

- (1) When individual City agencies or experts within such agencies are requested by other public agencies to comment on an EIR for a project located in the City of Los Angeles, such agencies or individuals may respond directly to the public agency making the request provided that:
 - (a) Such comments are consistent with any specific position previously adopted by the City Council on the project covered by the EIR; and
 - (b) Such comments are transmitted to the Office of Environmental Quality and the Council member of the district or districts where the project is located at least 5 days prior to transmission to the requesting agency.
- (2) This subsection does not apply to comments made by a City department on a draft EIR being prepared by another City department.

(3) This subsection does not apply where the City of Los Angeles is a Responsible Agency for the project involved. In such situations, the provisions of Article IX of these Guidelines shall apply.

h. Timely Compliance.

City agencies shall carry out their responsibilities for preparing and reviewing environmental documents as expeditiously as possible to avoid unnecessary delays in the processing of applications for permits or other entitlements for use.

i. Orderly Preparation.

(1) General Rule.

For projects involving the processing of permits or other entitlements for use, the preparation of the appropriate environmental documents shall be commenced in the order in which the applications are filed with the Lead City Agency.

(2) Leases.

For projects involving the leasing of City-owned property, the Lead City Agency may establish priorities for the processing of environmental documents for applications for such leases.

j. <u>Delegation of Responsibilities</u>.

The following functions of the environmental review process are delegated to the head of each Lead City Agency and may be further delegated by such head to members of the Lead City Agency's staff:

- (1) Determination of whether a project is exempt.
- (2) Conducting of an initial study and the initial determination of whether the project may have a significant effect on the environment.
- (3) Preparation of the Negative Declaration or EIR and responses to comments thereon.
- (4) Filing of environmental notices.
- (5) Adoption and certification of Negative Declarations and EIRs as complete for the purpose of complying with the time limitations set forth in Article X of these Guidelines.

k. Advisory Bodies.

Where an advisory body is required to make a recommendation on a project to the Decision-Making Body, the advisory body shall also review and consider the Negative Declaration or EIR in determining the nature of its recommendation.*

7. Fees.

All Lead City Agencies preparing environmental documents for projects to be carried out by any person or entity other than the Lead City Agency may require the payment of a reasonable fee by such person or entity in order to recover the costs incurred in preparing and processing the environmental document.**

- 1. For the processing of each Initial Study, a fee of \$280. Such fee shall also cover the processing of any Negative Declaration filed in connection therewith.
- 2. For the processing of each Environmental Impact Report filed affecting Non-Mountain Fire District areas:
 - (a) A fee of \$1,000 where the affected property is less than one acre in size;
 - (b) A fee of \$2,000 where the affected property is one or more, but less than five, acres in size;

(Continued)

^{*} For example, the City Planning Commission acts as an advisory body on ordinances involving zone changes.

^{**} Section 19.05 of the Los Angeles Municipal Code requires the collection of fees as follows:

A. Fees. For the processing of each Initial Study prepared or Environmental Impact Report (EIR) filed in connection with permit application, or for the processing of any Supplemental Report or for the preparation of a General Exemption pursuant to City CEQA Guidelines, the following fees shall be paid to the appropriate City departments at the time any such permit application is filed or any such Supplemental Report or General Exemption is prepared or processed:

8. City Council and Director of Planning Authority to Require EIR.

Each City department, and each City office or bureau which intends to commence, continue or approve a project or activity that will have an impact on the City's environment shall, if requested by the Director of Planning or the City Council, prepare an environmental impact report pursuant to the requirements of these Guidelines prior to commencing, approving or further continuing said project or activity.

(Continued)

- (c) A fee of \$3,000 where the affected property is five or more acres in size.
- 3. For the processing of each Environmental Impact Report filed affecting Mountain Fire District areas:
 - (a) A fee of \$2,200 where the affected property is less than one acre in size;
 - (b) A fee of \$3,800 where the affected property is one or more, but less than five, acres in size;
 - (c) A fee of \$6,400 where the affected property is five or more acres in size.
- 4. A fee of 1/4 the original filing fee shall be paid for the processing of any report supplemental to the Environmental Impact Report.
- 5. A fee of \$25 shall be paid for the preparation and processing of a General Exemption or Categorical Exemption prepared pursuant to Article VII of the City CEQA Guidelines.

The processing of an Initial Study is not required as a prerequisite to the filing of an Environmental Impact Report. For the purposes herein, the definition of "Mountain Fire District" contained in Section 57.25.01 of this Code shall apply.

The requirements of this subsection shall not apply to the Harbor Department. (Amended by Ord. 153,909, effective 7/14/80.)

- a. The Director of Planning shall exercise his authority to require the preparation of EIR's pursuant to this Section in the following manner:
 - (1) The Director shall notify the Lead City Agency within 30 days after any of the following occurs that he believes that the project involved may have a significant effect on the environment and that he is considering requiring the preparation of an EIR or a supplement to a previously prepared EIR:
 - (a) A decision by a Lead City Agency that the project is exempt from the requirements of CEOA.
 - (b) The filing of a Negative Declaration with the City Clerk pursuant to the requirements of Section 4 of Article V of these Guidelines.
 - (c) The notice of the availability of a draft EIR for public review is published pursuant to the requirements of Section 3 of Article VI of these Guidelines.
 - (2) The Director shall, within an additional 15 days, complete his review and investigations and notify the Lead City Agency whether the preparation of an EIR or a supplement to a previously prepared EIR will be required for the project in question.
 - (3) If the Director requires the preparation of an EIR or a supplement to a previously prepared EIR, he shall advise the Lead City Agency of the specific areas of environmental concern upon which he is basing the requirement. The Director shall also forward a report to the City Council notifying the Council of the requirement and setting forth the reasons therefor.



ARTICLE II. DEFINITIONS

1. Applicant.

An applicant is a person who proposes to carry out a project and needs a lease, permit, license, certificate, or other entitlement for use, or who is requesting financing assistance from one or more public agencies to carry out a project.

2. Approval.

Approval is the action by a Decision-Making Body which commits the City to a definite course of action with regard to a project intended to be carried out by any person.

a. Capital Improvement Projects.

(1) Projects to be Funded by the Capital Improvement Expenditure Program of the Annual City Budget.

Approval occurs when the City Council, by motion adopted subsequent to the initial budget appropriation for a project, expressly authorizes the Lead City Agency to expend funds to proceed with the project. However, the expenditure of funds for the preparation of appropriate environmental documents, as well as for special reports, site utilization studies, schematic designs, title searches, appraisal services, and other related preliminary activities shall not constitute approval of such projects and does not require the prior adoption by the City Council of the above motion.

(2) Projects Funded by Assessment Proceedings.

Approval occurs when the City Council grants the request of the petitioners or authorizes by resolution the institution of such proceedings.

- b. Projects Not Funded in the Capital Improvement Expenditure Program.
 - (1) General Rule.

Approval occurs when the project is authorized to proceed.

(2) General Plan and Zoning Amendments.

For portions or elements of the General Plan or Zoning Amendments, approval occurs upon final adoption by the City Council.

(3) Easement Vacations.

Approval occurs when the City Council approves the City Engineer's report and instructs the preparation of the ordinance of intention.

c. Projects to be Funded or Partially Funded by the City But Not Carried Out by the City.

Approval occurs when the Decision-Making Body commits itself to participation in the project.

d. Private Projects.

Approval occurs upon the earliest decision to issue a permit, license, certificate or other entitlement for use. However, if an appeal from such decision is taken, approval for purposes of filing the Notice of Determination does not occur until the final determination on appeal is made.

3. California Environmental Quality Act (CEQA).

California Environmental Quality Act (CEQA) is the State law implemented by these Guidelines and is contained in the California Public Resources Code, Section 21000 et seg.

4. Categorical Exemption.

A Categorical Exemption is an exemption from the requirements of CEQA based on a finding by the Secretary for Resources and the Los Angeles City Council that certain types of projects do not have a significant effect on the environment.

5. <u>CEQA</u>.

CEQA is the California Environmental Quality Act.

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Guidelines for the implementation of the
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California environmental quality act of 1970 as amended December 17, 1973. [52]p.,table, forms. [1974]
-----; amendments. [32]p.,forms. Mar.27, 1975.

76 02791 -----; amendments. Another copy.

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5.5. Cumulative Impacts.

Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- a. The individual effects may be changes resulting from a single project or a number of separate projects.
- b. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individual minor but collectively significant projects taking place over a period of time.

6. Decision-Making Body.

A Decision-Making Body is the group or individual having project approval authority.

7. Deleted (Definition of DEQ).

8. Discretionary Project.

A discretionary project is an activity defined as a project which requires the exercise of judgment, deliberation, or a decision on the part of the public agency or body in the process of approving or disapproving a particular activity, as distinguished from activities where the public agency or body merely has to determine whether there has been compliance with applicable statutes, ordinances, or regulations.

9. Emergency.

Emergency means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.

10. Environment.

Environment, for purposes of implementing CEQA, is the physical conditions which exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

11. Environmental Documents.

Environmental documents are draft and final EIRs, Initial Studies, Negative Declarations, Notices of Completion, Notices of Determination, Notices of Exemption, Notices of Preparation and General Exemptions.

12. Environmental Impact Report (EIR).

An Environmental Impact Report is a concise statement setting forth the environmental effects and considerations pertaining to a project as specified in Section 21100 of the California Environmental Quality Act.

a. Draft EIR.

A Draft EIR is an EIR containing the information required by Section 2 of Article VI of these Guidelines.

b. Final EIR.

A Final EIR is an EIR that has been subjected to the public review process and contains the information required by Section 7 of Article VI of these Guidelines.

c. Master EIR.

A Master EIR is an EIR covering a geographical area that may involve cumulative environmental impacts from a number of separate projects within the geographical area.

d. Program EIR.

A Program EIR is an EIR covering environmental factors that are common to a particular type of project.

e. Staged EIR.

A Staged EIR is an EIR that covers in general terms an entire project that will be subject to a number of discretionary approvals over time, evaluating with

specificity only that aspect of the project before the Decision-Making Body for consideration.

13. Environmental Impact Statement (EIS).

An Environmental Impact Statement is an environmental impact report prepared pursuant to the National Environmental Policy Act (NEPA).

14. Feasible.

Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

15. Feasibility and Planning Studies.

Feasibility and planning studies are activities involving only studies for possible future actions which the agency, board or commission has not approved, adopted or funded. Such activities include, but are not limited to the preparation of appropriate environmental documents, special reports, site utilization studies, schematic designs, title searches and appraisal services.

15.5 General Exemption.

A General Exemption is na exemption from the requirements of CEQA if it can be seen with reasonable certainty that the project in question could not possibly have a significant effect on the environment.

16. <u>Initial Study</u>.

An Initial Study is a comprehensive analysis of those aspects of the environment which could potentially affect a project or be affected by a project conducted to determine whether a project may have a significant effect on the environment.

17. Lead Agency.

A Lead Agency is the public agency which has the principal responsibility for carrying out or approving a project. The Lead Agency will prepare the environmental documents for the project either directly or by contract. Criteria for determining which agency will be the Lead Agency for a

project are contained in Section 15065 of the State EIR Guidelines.

18. Lead City Agency.

A Lead City Agency is the City department, bureau, division, section, office, officer or agency which has the principal responsibility for carrying out a project which is subject to the provisions of CEQA, or has the principal responsibility for processing the application for a lease, permit, license, or other entitlement for use for a project which is subject to the provisions of CEQA. If more than one City Agency meets the Lead City Agency criteria, the Lead City Agency shall be the City Agency that normally acts first on such projects.

19. Local Agency.

A local agency is any public agency other than a State agency, board or commission. The City of Los Angeles constitutes a single local agency.

20. Ministerial Projects.

Ministerial projects are activities undertaken by public agencies pursuant to a statute, ordinance or regulation that sets forth the conditions upon which the undertaking must or must not be granted. With these projects, the agency must act upon the given facts without regard to its own judgment or opinion concerning the propriety or wisdom of the act, although the statute, ordinance, or regulation may require, in some degree, interpretation of its language by an officer of the agency. In summary, a ministerial decision involves only the use of fixed standards or objective measurements without personal judgment.

20.5 Mitigation.

Mitigation includes:

- a. Avoiding the impact altogether by not taking a certain action or parts of an action.
- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- c. Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

- d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- e. Compensating for the impact by replacing or providing substitute resources or environments.

21. National Environmental Policy Act (NEPA).

The National Environmental Policy Act (NEPA) is the federal law requiring an environmental assessment for federal actions that involve impacts on the environment. NEPA is set forth in 42 U.S.C.A. 4321 et seq.

22. Negative Declaration.

A Negative Declaration is a statement by the Lead Agency briefly setting forth the reasons why the project, although not otherwise exempt, will not have a significant effect on the environment and therefore does not require an EIR.

23. NEPA.

NEPA is the National Environmental Policy Act.

24. Notice of Completion.

A Notice of Completion is a notice filed with the Secretary for Resources by a Lead Agency as soon as it has completed a draft EIR and is prepared to send out copies for public review.

25. Notice of Determination.

A Notice of Determination is a notice to be filed by the Lead City Agency (or the City Clerk if the City Council is the Decision-Making Body unless otherwise authorized by the City Council) after a project subject to the provisions of CEQA and involving a Negative Declaration or an EIR has been approved.

26. Notice of Exemption.

A Notice of Exemption is a Notice which may be filed by a Lead City Agency after the Decision-Making Body has approved a project and has determined that it is a ministerial, categorically exempt, or emergency project, or is otherwise

exempted pursuant to the provisions of Section 21080(b) of the California Public Resources Code.

26.5 Notice of Preparation.

A Notice of Preparation is a brief notice sent by a Lead City Agency by certified mail to notify Responsible Agencies that the Lead City Agency plans to prepare an EIR for a project. The purpose of the notice is to solicit guidance from the Responsible Agencies as to the scope and content of the environmental information to be included in the EIR.

27. Participating City Agency.*

A Participating City Agency is a City department, bureau, division, section, office, officer or agency which is required by Charter or action of the City Council to review a particular class of projects and make comments or recommendations to the Lead City Agency.

28. Person.

Person includes any person, firm, association, organization, partnership, business, trust, corporation and company, and any district, county, city and county, city, town, the State, and the political subdivisions of such entities.

29. Persons with Special Expertise.

Persons with special expertise are those individuals with experience, knowledge or formal education in disciplines germane to specific contents of environmental documents that will allow them to offer authoritative information and opinions for the preparation and review of such documents. These persons may be members of the general public, or employees of private companies or governmental agencies.

^{*} For example, the Traffic Department would be a Participating City Agency in its role as a reviewing and recommending agency to the Planning Department on projects subject to the Subdivision Map Act.

30. Project.

- a. A project is the whole of an action, which has a potential for resutling in a physical change in the environment, directly or ultimately, that is any of the following:
 - (1) An activity to be directly undertaken by a public agency.
 - (2) An activity undertaken by a person which is supported in whole or in part through contracts, grants, subsidies, loans or other forms of assistance from one or more public agencies.
 - (3) An activity involving the issuance to a person of a lease, permit, license, certificate or other entitlement for use by one or more public agencies.
 - (4) The enactment and amendment of local zoning ordinances and local general plans or elements thereof.
 - (5) The approval of applications for state or federal funds.
- b. The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term "project" does not mean each separate governmental approval.

31. Project Sponsor.

The project sponsor is the private applicant, City agency, or other public entity that proposes to carry out the project.

32. Proprietary Department.

A proprietary department is a department having control over its own special funds.

33. Public Agency.

A public agency is any State agency, board, or commission, or any local agency as defined in these Guidelines. The courts of the State and agencies of the federal government

are not public agencies for purposes of CEQA compliance. The City of Los Angeles constitutes a single public agency.

34. Recirculation.

Recirculation is the act of circulating for public review a previously reviewed environmental document for the purpose of examining significant new information or data not contained in the original document.

35. Responsible Agency.

A Responsible Agency is a public agency, such as a city or county, which proposes to carry out or has approval power over a project, but is not the Lead Agency for the project.

36. Significant Effect.

Significant effect on the environment means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the activity including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

37. State EIR Guidelines.

The State EIR Guidelines are the State of California Guidelines for the Implementation of the California Environmental Quality Act and are contained in Title 14, Division 6 of the California Administrative Code.

38. Statement of Overriding Considerations.

A Statement of Overriding Considerations is a statement identifying other public objectives that, in the opinion of the Decision-Making Body, warrant approval of a project notwithstanding its substantial adverse impact on the environment.

39. Supporting Data.

Supporting data is the information and analysis gathered or prepared for the Initial Study that supports the conclusions relative to the project's possible environmental impact.

40. Terminology.

The following words are used to indicate whether a particular provision in these Guidelines is mandatory, advisory, or permissive:

- a. "Must" or "shall" identifies a mandatory provision which all City agencies are required to follow.
- b. "Should" identifies areas wherein guidance is provided by the Secretary for Resources based on policy considerations contained in CEQA, in the legislative history of the statute, in California appellate court decisions, or in federal court decisions which California courts can be expected to follow. City agencies shall follow this guidance in the absence of compelling, countervailing considerations.
- c. "May" identifies a permissive provision left to the discretion of the City agencies involved.

41. Tiering.

Tiering refers to the coverage of general matters in broad scope or program EIRs with subsequent narrower environmental documents (such as site-specific EIRs) incorporating by reference the general discussions and concentrating solely on the issues specific to the environmental document subsequently prepared.

42. Trustee Agency.

Trustee agency means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Trustee agencies include:

- a. The California Department of Fish and Game with regard to the fish and wildlife of the state.
- b. The State Lands Commission with regard to state owned "sovereign" lands.
- c. The State Department of Parks and Recreation with regard to units of the State Park System.
- d. The University of California with regard to sites within the Natural Land and Water Reserve System.

43. Urbanized Area.

Urbanized area means a central city or a group of contiguous cities with a 1970 population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile as periodically designated by the U.S. Bureau of the Census. Maps of the designated urbanized areas can be found in the California EIR Monitor of February 7, 1979. The maps are also for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The maps are sold in sets only as Stock Number 0301-3466. The City of Los Angeles is an "urbanized area."

ARTICLE III: APPLICATION OF CEQA TO THE ACTIVITIES OF THE CITY OF LOS ANGELES

1. General Rule and General Exemption.

These Guidelines apply generally to discretionary actions by City agencies which may have a significant effect on the environment. However, where it can be seen with reasonable certainty that the type of activity in question could not possibly have a significant effect on the environment, the activity is not covered by CEQA and these Guidelines do not apply.*

2. Exempt Activities.

The following activities are exempt from the requirements of CEQA and these Guidelines and no EIR or Negative Declaration is required:

- a. Emergency projects, such as:
 - (1) Projects undertaken, carried out, or approved by a City agency to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disasterstriken area for which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1, Title 2 of the Government Code.
 - (2) Emergency repairs to public service facilities necessary to maintain service.
 - (3) Specific actions necessary to prevent or mitigate an emergency.
- b. Ministerial projects, ** such as:

^{*} A form that may be used for this general exemption is attached as Exhibit J.

^{**} Where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA. (State EIR Guidelines, Section 15073(d).)

- (1) Issuance of building permits, * including:
 - (a) Demolition permits except those involving the demolition or removal of buildings or structures of historical, archaeological or architectural consequence as officially designated by federal, State or local governmental action.
 - (b) Electrical permits.
 - (c) Heating, ventilating, air-conditioning and refrigeration permits.
 - (d) Elevator permits.
 - (e) Boiler and pressure vessel permits.
 - (f) Plumbing permits.
 - (g) Relocation permits.
- (2) Issuance of business licenses.
- (3) Approval of final subdivision maps.
- (4) Issuance of Fire Department permits necessary for the safeguarding of life and property from the hazards of fire, explosion or panic.
- (5) Approval and installation of individual utility service connections and disconnections, including:
 - (a) Water and electrical facilities to serve approved projects of public agencies, including, but not limited to, street lighting systems, fire hydrants, etc.
 - (b) Utility extensions of reasonable length to serve projects for which permits have been issued.

^{*} A building permit will not be ministerial if the parcel in question is covered by a specific plan that gives discretion to a City official or Decision-Making Body regarding the design of the project for which the permit is sought.

- (6) Permits issued by the Department of Public Works as follows:
 - (a) Class "A" permits for construction or repair of sidewalks, driveways and curbs.
 - (b) Excavation permits except those involving areas of archaeological consequence as officially designated by federal, State or local governmental action.
 - (c) House-moving permits.
 - (d) Permits for house numbers on curbs.
 - (e) Manhole cover permits.
 - (f) Overload permits (height, width and weight).
 - (g) Permit for lease dump truck (personal).
 - (h) Sewer permits (special connections).
 - (i) Storm drain connection permits.
 - (j) Permits for private rubbish trucks.
- (7) Projects requiring the approval of the City Planning Department:
 - (a) Parcel Maps determination that existing regulations do not apply.
 - (b) Airport Approach Zoning Regulations Planning Director authority to determine airport hazard area boundaries.
 - (c) Change of Zone or Height District (Ordinances implementing change): Removal of "F" Funded Improvement removal of designation from map; "Q" and "T" Classification removal of designation from map; and "Q" plot plan approval pursuant to precise instructions from City Council leaving no discretion.
 - (d) Office of Zoning Administration plot plan approvals pursuant to precise instructions or conditions leaving no discretion.
 - (e) Conditional Uses plot plan approvals pursuant to precise instructions from the Decision-Making Body.

- (8) Engineering permits issued in accordance with an entitlement for use previously granted.
- (9) Permits issued by the Department of Traffic as follows:
 - (a) Searchlight permits.
 - (b) Bicycle rack permits.
 - (c) Vendors permits.
- (10 Permits issued by the Police Commission as
 follows:
 - (a) Cafe entertainment and shows.
 - (b) Picture arcade.
 - (c) Motion picture shows.
- (11) Licenses issued by the General Manager of the Department of Animal Regulation as follows:
 - (a) Dog license.
 - (b) Equine License.
 - (c) Breeders license.
 - (d) Sentry dog trainer license.
- c. Categorical Exemptions, as set forth in Article VII of these Guidelines.
- d. Feasibility and planning studies for possible future action, although such studies shall include consideration of environmental factors.
- e. Proposals for legislation to be enacted by the State Legislature.
- f. Continuing administrative, maintenance and personnelrelated activities.*
- g. The submission of proposals to a vote of the people of the City of Los Angeles.

^{*} This subsection should not be construed by City Agencies to exempt their ongoing programs that may have significant impacts on the environment.

- h. Any activity specifically exempted from the requirements of CEQA by State law.
- i. Any activity (approval of bids, execution of contracts, allocations of funds, etc.) for which the underlying project has previously been evaluated for environmental significance and processed according to the requirements of these Guidelines.
- j. Projects which are rejected or disapproved.*
- k. Actions undertaken by the City of Los Angeles relating to any thermal power plant site or facility, including the expenditure, obligation or encumberance of funds for planning, engineering or design puposes, or for the purchase of equipment, fuel, water (except ground water), steam or power for such a thermal power plant, if the thermal power plant site and related facility will be the subject of an EIR or Negative Declaration or other document or documents prepared pursuant to a regulatory program certified pursuant to Public Resources Code Section 21080.5, which will be prepared by:
 - (1) The State Energy Resources Conservation and Development Commission,
 - (2) The Public Utilities Commission, or
 - (3) The City or County in which the power plant and related facility would be located.

The EIR, Negative Declaration, or other document prepared for the thermal power plant site or facility shall include the environmental impact, if any, of the action described in this Subsection.

^{*} This Subsection is intended to allow an initial screening of projects on the merits for quick disapprovals prior to the initiation of the environmental review process where the Lead City Agency can determine that the project cannot be approved. This Subsection shall not be construed to relieve an applicant from paying the costs of an EIR or Negative Declaration prepared for his project prior to a disapproval after normal project evaluation and processing.

- (1) The State Energy Resources Conservation and Development Commission,
- (2) The Public Utilities Commission, or
- (3) The City or County in which the power plant and related facility would be located.
- 1. Activities or approvals necessary to the bidding for, hosting or staging of, and funding or carrying out of, Olympic Games under the authority of the International Olympic Committee (IOC), except for the construction or enlargement of facilities necessary for such Olympic Games. If such facilities are required by the IOC as a condition of being awarded the Olympic Games, the Lead City Agency need not discuss the "no project" alternative in the EIR with respect to those facilities.
- m. The adoption of ordinances that do not result in impacts on the physical environment.
- n. General policy procedure making (except as they are applied to specific "projects" as defined in Section 30 of Article II of these Guidelines).
- o. The establishment, modification, structuring, restructuring, or approval of rates, tolls, fares or other charges by the City of Los Angeles which the Decision-Making Body finds are for the purpose of:
 - (1) Meeting operating expenses, including employee wage rates and fringe benefits,
 - (2) Purchasing or leasing supplies, equipment or materials,
 - (3) Meeting financial reserve needs and requirements,
 - (4) Obtaining funds for capital projects, necessary to maintain service within existing service areas, or
 - (5) Obtaining funds necessary to maintain such intracity transfers as are authorized by city charter.

The Decision-Making Body shall incorporate written findings in the record of any proceeding in which an exemption under this section is claimed setting forth with specificity the basis for the claim of exemption.

p. Actions taken prior to January 1, 1982, by the City of Los Angeles to implement the transition from the property taxation system in effect prior to June 1,

1978, to the system provided for by Article XIII A of the California Constitution. This exemption is limited to projects directly undertaken by the City of Los Angeles or projects undertaken by a person which are supported in whole or in part through contracts, grants, subsidies, loans, or other forms of assistance from the City of Los Angeles where the projects:

- (1) Initiate or increase fees, rates, or charges charged for any existing public service, program, or activity, or
- (2) Reduce or eliminate the availability of an existing public service program, or activity, or
- (3) Close publicly owned or operated facilities, or
- (4) Reduce or eliminate the availability of an existing publicly owned transit service, program, or activity.
- q. Activities and appprovals by the City of Los Angeles necessary for the preparation and adoption of a local coastal program pursuant to the California Coastal Act, (commencing with Section 30000 of the Public Resources Code). CEQA shall apply to the certification of a local coastal program by the California Coastal Commission pursuant to Chapter 6 of the California Coastal Act.
- r. Projects for the institution or increase of passenger or commuter service on rail lines already in use, including the modernization of existing stations and parking facilities.
- s. Projects for the development of a regional transportation improvement program or the state transportation improvement program.
- t. Zone change ordinances initiated by the City for the purpose of complying with Section 65860(d) of the California Government Code, provided that the zone change provides for the least intensive use category allowed by the applicable provisions of the General Plan of the City of Los Angeles.

3. Notice of Exemption.*

a. Public Projects.

When a Lead City Agency approves a project that is exempt from the requirements of CEQA, the Lead City Agency may file a Notice of Exemption. The Notice shall include the following:

- (1) A concise description of the project.
- (2) A finding that the project is exempt, including a reference to the State and City Guideline provision under which it is found to be exempt.
- (3) A brief statement of reasons to support the finding.

b. Private Projects.

Whenever the Decision-Making Body of a Lead City Agency approves an applicant's progect, the Lead City Agency or the applicant may file a Notice of Exemption. A Notice of Exemption filed by an applicant shall contain the information required in subsection a above, together with a certified document issued by the Lead City Agency stating that it has found the project to be exempt.

^{*} The form to be utilized for the Notice of Exemption is attached as Appendix A.

c. Filing of the Notice.*

The Notice of Exemption, where used, shall be filed with the County Clerk** of the county or counties in which the project will be located and with the City Clerk. The City Clerk shall make such notices available for public inspection.

d. Statute of Limitations.

The filing of a Notice of Exemption starts a 35 day statute of limitations period on legal challenges to the Lead City Agency's decision that the project is exempt from CEQA. If a Notice of Exemption is not filed, a 180 day statute of limitations will apply.

4. Redevelopment Projects.

All City and private activities in connection with a redevelopment plan constitute a single project for purposes of compliance with CEQA and these Guidelines.

a. Preparation of the EIR.

The Community Redevelopment Agency (CRA) shall be the Lead Agency for purposes of compliance with CEQA and shall prepare the EIR for a redevelopment plan. The CRA shall consult with all Participating City Agencies prior to the circulation of a draft EIR for public review.

b. Timing of the EIR.

A final EIR shall be completed prior to the submission of the redevelopment plan to the City Planning Commission.

^{*} Any action or proceeding alleging that a public agency has improperly determined that a project is an emergency project, a ministerial project, or categorically exempt, and therefore not subject to the provisions of CEQA, shall be commenced within 35 days after the filing of the Notice of Exemption with the County Clerk. Public Resources Code Section 21167(d).

^{**} Section 15074(d) of the State EIR Guidelines requires that copies of all such notices be made available for public inspection and that a list of such notices be posted on a weekly basis for a period of 30 days in the office of the County Clerk.

c. The City Planning Commission (CPC).

The CPC shall consider the contents of the proposed final EIR in making its recommendation to the City Council on the proposed redevelopment plan.

d. Certification by the CRA and the City Council.

(1) CRA.

At the time it approves the redevelopment plan, the CRA shall certify that the EIR was prepared in compliance with CEQA, the State EIR Guidelines, and the City of Los Angeles CEQA Guidelines, and that it has reviewed and considered the information contained in the EIR in determining whether to approve the redevelopment plan.

(2) City Council.

The City Council, as a Responsible Agency, shall certify that it has reviewed and considered the information contained in the EIR in determining whether to approve the redevelopment plan.

e. Supplementing the EIR.

The EIR for a redevelopment plan shall be supplemented if any of the following occurs:

- (1) The CRA or the City Council proposes changes to the plan which, if implemented, could result in a significant effect on the environment.
- (2) The CRA or the City Council is not satisfied with the adequacy or the accuracy of the information contained in the EIR.
- (3) The EIR does not contain sufficient detail to inform the Decision-Making Body and the public of the environmental effects, mitigation measures and/or alternatives of a specific development proposed for a parcel contained within the plan area.

f. Recirculation of a Supplemented EIR.

A supplement to an EIR shall be circulated for public review in the same manner as an original draft EIR. The original final EIR, or a detailed summary thereof, may be circulated with the supplement, or information may be provided regarding where a copy of the original EIR may be obtained for review.

5. Projects Involving Federal Approval or Funding.

a. <u>Concurrent Satisfaction of the Requirements of Both CEQA and NEPA.</u>

For those projects where both an EIR and an EIS will be required because a City project involves federal approval or funding, one report should be prepared satisfying the requirements of both CEQA and NEPA. To the extent that federal guidelines for the preparation of the EIS require inclusion of matters excluded from City EIRs by the policies set forth in Section 4 of Article I of these Guidelines, such City policies do not apply.* Where a combined EIR/EIS will be prepared, the Lead City Agency shall involve the appropriate federal agency during all stages of its preparation and processing.**

b. Use of an EIS to Satisfy the Requirements of CEQA.

If an EIS has been completed and subjected to public review pursuant to NEPA in connection with the federal approval or funding of a City project, then the EIS may be used without further processing or public review to satisfy the requirements of CEQA, provided that:

(1) The Decision-Making Body certifies that the information contained in the EIS satisfies the requirements of Section 21100 of the Public Resources Code;***

^{*} Projects that are exempt under CEQA from the requirement of an environmental assessment are not necessarily exempt under NEPA. The environmental guidelines of the federal agency involved should be consulted to ascertain which projects are exempt and how to process environmental documents for non exempt projects.

^{**} Federal law generally prohibits a federal agency from using an environmental document prepared by a state or local agency unless the federal agency was involved in the preparation of the document.

^{***} Public Resources Section 21100 requires that an EIR contain a detailed statement setting forth the following:

[&]quot;(a) The environmental impact of the proposed action.

⁽b) Any adverse environmental effects which cannot be avoided if the proposal is implemented. (Continued)

- (2) The federal agency involved circulated the EIS for public review as broadly as required by Section 4 of Article VI of these Guidelines and gave notice that meets the standards set forth in Section 3 of Article VI of these Guidelines, and
- (3) The Lead City Agency gives notice that it will use the EIS in the place of an EIR and that it has determined that the EIS meets the requirements of CEQA. Such notice shall be given by publication at least once in a newspaper of general circulation in the area affected by the project at least 30 days prior to approval of the project.

6. Multiproject Environment Reviews.

a. Phased Projects.

Where a project that may have a significant effect on the environment is to be undertaken in phases, such as the construction of a 300-unit residential development in 100-unit increments, the Lead City Agency must prepare a single EIR for the total undertaking.

(Continued)

- (c) Mitigation measures proposed to minimize the impact including, but not limited to, measures to reduce wasteful, inefficient, and unnecessary consumption of energy.
- (d) Alternatives to the proposed action.
- (e) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.
- (f) Any irreversible environmental changes which would be involved in the proposed action should it be implemented.
- (g) The growth-inducing impact of the proposed action."

The (EIR) shall also contain a statement briefly indicating the reasons for determining that various effects of a project are not significant and consequently have not been discussed in detail in the environmental impact report. b. Projects That Are a Necessary Precedent to or a Commitment to a Larger Project.

Where an individual project is a prerequisite for, or commits the City to a larger project that may have a significant effect on the environment, such as the acquisition of land for purposes of later constructing a public facility, the Lead City Agency must prepare an EIR that addresses the scope of the larger project.

c. Similar but Unconnected Projects.

An EIR prepared for one project may be used as the EIR for another project where it can be shown that the prior EIR contains an adequate discussion of the environmental impacts of the subject project. The following procedures shall be complied with:

- (1) The EIR shall be supplemented with the following information:
 - (a) A concise description of the new project.
 - (b) A map showing the location of both projects.
 - (c) Minor differences, if any, in the environmental impacts of the two projects.
 - (d) Information as to when the earlier project was considered by the Decision-Making Body and whether there have been any significant changes in the area surrounding the two projects since such consideration.
- (2) A cover sheet shall be attached to the EIR stating that the Lead City Agency is using an EIR prepared for a similar project as the EIR for the subject project and declaring that the Lead City Agency finds that the prior EIR contains an adequate discussion of the environmental impacts of the subject project. The reasons supporting such a finding shall be set forth.
- (3) The EIR, together with its supplemental information and cover sheet, shall be circulated for public review for 30 days.
- (4) After the public review period is over, the Lead City Agency shall respond in writing to any comments received, including those relating to the propriety of utilizing the EIR for the subject project.

- (5) The EIR shall then constitute the proposed final EIR for the subject project and shall be further processed pursuant to Sections 8 through 11 of Article VI of these Guidelines.
- d. Use of a Single EIR for Several Similar Projects.

Where a project is one of several similar projects of a Lead City Agency but is not deemed a part of a larger project, a single EIR may be prepared for a number of such projects rather than a separate EIR for each project. After the EIR has been certified in connection with the decision on the first project, it may thereafter be used for the decision on the remaining projects without further public review or processing, unless a supplement to the EIR is required pursuant to Subsection e of Section 9 of Article VI of these Guidelines, except that the EIR shall be processed pursuant to the requirements of Sections 8 through 11 of said Article VI in connection with the decision on each project covered by the EIR.

e. Program EIRs.

- (1) A program EIR is an EIR which may be prepared on an integrated series of actions that are related either:
 - (a) Geographically,
 - (b) As logical parts in the chain of contemplated actions,
 - (c) In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or
 - (d) As individual projects carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.
- (2) Use of a program EIR can provide the following advantages. The program EIR can:
 - (a) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action.

- (b) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis,
- (c) Avoid duplicative reconsideration of basic policy considerations,
- (d) Allow the lead agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts.
- (e) Allow reduction in paperwork.
- (3) Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.
 - (a) If a later activity would have effects that were not examined in the program EIR, a new initial study would need to be prepared leading to either an EIR or a Negative Declaration.
 - (b) If the Decision-Making Body finds that pursuant to Article VIII of these Guidelines, no new effects could occur or no new mitigation measures would be required, the Decision-Making Body can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.
 - (c) A Decision-Making Body shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.
 - (d) Where the subsequent activities involve site specific operations, the Lead City Agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.
 - (e) A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many

subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.

- (4) A program EIR can be used to simplify the task of preparing environmental documents on later parts of the program. The program EIR can:
 - (a) Provide the basis in an initial study for determining whether the later activity may have any significant effects.
 - (b) Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.
 - (c) Focus an EIR on a subsequent project to permit discussion solely of new effects which had not been considered before.
- (5) When a law other than CEQA requires public notice when the agency later proposes to carry out or approve an activity within the program and to rely on the program EIR for CEQA compliance, the notice for the activity shall include a statement that:
 - (a) This activity is within the scope of the program approved earlier, and
 - (b) The program EIR adequately describes the activity for the purposes of CEQA.

f. Master EIRs.

- (1) A Master EIR, when considered appropriate by Lead City Agencies, may be prepared for geographical areas that, if developed, would cumulatively impact on the environment. Thereafter, when an EIR is required for a project that is a part of an area for which a Master EIR has been prepared and approved by the appropriate Decision-Making Body, the EIR on the specific project need only address significant environmental effects and feasible mitigation measures and alternatives not discussed in the Master EIR.
- (2) The Lead City Agency shall attach the Master EIR to the smaller project draft EIR as an appendix or set forth a summary of the Master EIR in the

- specific project EIR and indicate where a copy of the Master EIR may be obtained or reviewed.
- (3) Master EIRs should be prepared in connection with the EIR for a specific project where it can be reasonably foreseen that there will be future development cumulatively impacting the environment impacted by the specific project.

g. Staged EIRs.

- (1) Where a large capital project will require a number of discretionary approvals from governmental agencies and one of the approvals will occur more than 2 years before construction will begin, a staged EIR may be prepared covering the entire project in a general form. The staged EIR should evaluate the proposal in light of current and contemplated plans and produce an informed estimate of the environmental consequences of the entire project. The aspect of the project before the public agency for approval shall be discussed with a greater degree of specificity.
- (2) When a staged EIR has been prepared, a supplement to the EIR shall be prepared when a later approval is required for the project, and the information available at the time of the later approval would permit consideration of additional environmental impacts, mitigation measures, or reasonable alternatives to the project.
- (3) Where a statute such as the Warren-Alquist Energy Resources Conservation and Development Act provides that a specific agency other than the City of Los Angeles shall be the Lead Agency for a City project and prepare the EIR, and the City must grant, as a Responsible Agency, an approval for the project prior to completion of the EIR by the Lead Agency, the appropriate Lead City Agency may prepare a staged EIR for consideration in connection with such approval.

h. Tiering.

(1) Lead City Agencies are encouraged to tier their EIRs to eliminate repetitive discussions of the same issues and to focus on the actual issues ripe for decision at each level of environmental review.

- (2) Whenever a broad scope EIR has been prepared on a program, plan, or policy and an environmental document is prepared later on an action included within the program, plan, or policy (such as a site specific action) the subsequent environmental document need only summarize the issues discussed in the broad scope or program EIR, incorporate discussions from the broader EIR by reference, and concentrate on the specific action proposed. The subsequent document shall state where the earlier document is available.
- (3) Tiering may also be appropriate for different stages of actions.

6.5. Use of a General Plan EIR With Subsequent Projects.

The EIR on a general plan may be used as the foundation document for EIRs subsequently prepared for specific projects within the geographic area covered by the general plan. The subsequent EIRs may reference and summarize material in the EIR on the general plan for the description of the general environmental setting and as much of the description of the environmental impacts as applies to the specific project. Detailed information in the EIR on the specific project may be limited to a description of the project, the specific environmental setting and impacts which are not adequately described for the specific project in the EIR on the general plan. When a subsequent EIR refers to an EIR on the general plan for part of its description of the environment and the environmental impacts, copies of the EIR on the general plan shall be made available to the public in a number of locations in the community and to any clearinghouses which will assist in public review of the EIR. The purpose of this section is not to restrict analysis of environmental issues but is to avoid the necessity for repeating detail from a General Plan EIR.

7. Housing and Neighborhood Commercial Facilities in Urbanized Areas.

a. A project involving the construction of housing or neighborhood commercial facilities in an urbanized area may be approved after considering an EIR previously prepared for a specific plan or a local coastal program after the City of Los Angeles complies with the requirements in this section.

- b. The procedures for complying with this section are as follows:
 - (1) The Lead City Agency shall conduct an initial study to determine whether the project may have one or more significant effects on the environment.
 - (2) The Lead City Agency shall give notice of its proposed use of a previously prepared EIR to all persons who had submitted a written request for notice and shall also give notice by either:
 - (a) Posting notice on and off the site in the area where the project would be located, or
 - (b) Mailing notice directly to owners of property contiguous to the project site.
 - (3) The Decision-Making Body shall make the following findings with regard to planning and the previously prepared EIR.
 - (a) That the project is consistent with either:
 - (i) A specific plan which was adopted for the area pursuant to Article 8 (commencing with Section 65450), Article 9 (commencing with Section 65500), and Article 10 (commencing with Section 65550) of Chapter 3 of Title 7 of the Government Code, or
 - (ii) A local coastal program or port master plan certified pursuant to Article 2 (commencing with Section 30510) of Chapter 6 of Division 20 of the Public Resources Code.
 - (b) That the specific plan or local coastal program or port master plan was adopted not more than five years prior to the finding made pursuant to this subsection and that the method of adoption was the procedure specified by Article 9 (commencing with Section 65500) or Chapter 3 of Title 7 of the Government Code for adopting specific plans and regulations.

- (c) That the specific plan or local coastal program or port master plan has been the subject of a certified environmental impact report.
- (d) That the environmental impact report is sufficiently detailed so that all the significant effects of the project on the environment and measures necessary to mitigate or avoid any such effects can be determined. This examination of the previously prepared EIR shall include a specific finding as to whether there would be any significant physical effects on existing structures and neighborhoods of historical or aesthetic significance if any exist in the area covered by the plan or program, and whether measures necessary to mitigate or avoid such effects are included in the EIR.
- (e) That a subsequent EIR is not required pursuant to Article VIII of these Guidelines.
- (4) The Decision-Making Body shall make one or more findings as required by Section 9.5 of Article VI of these Guidelines with regard to mitigating or avoiding each significant effect that the project would have on the environment.
- (5) The Lead City Agency shall file a Notice of Determination with the county clerk if the Decision-Making Body approves the project.
- c. As used in this section "neighborhood commercial facilities" means those commercial facilities which are an integral part of a project involving the construction of housing and which will serve the residents of such housing.

8. Ongoing Projects.

a. A project to be carried out by a City agency that was approved prior to November 23, 1970, shall not require an EIR unless the project may have a significant effect on the environment and one or more of the following conditions exist:

- (1) A substantial portion of public funds allocated for the project has not been spent, and it is still feasible to modify the project to mitigate potentially adverse environmental effects, choose feasible alternatives to the project, or halt the project. This subsection (1) shall not apply to projects that come under the jurisdiction of NEPA where the appropriate federal agency has found that the project was too far advanced at the time of NEPA's effective date to require an EIS.
- (2) Modifications are proposed to the project that may have significant effects on the environment that are new or substantially more significant.



ARTICLE IV: INITIAL STUDY

1. General.

If a project is subject to the requirements of CEQA and not exempted by these Guidelines, the Lead City Agency shall conduct an Initial Study to determine if the project may have a significant effect on the environment, unless it is clear that the project will have a significant effect and an EIR is to be prepared. If any aspects of the project, either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, then an EIR must be prepared. All phases of project planning, implementation, and operation must be considered in the Initial Study of the project. To meet the requirements of this section, the Lead City Agency may use an Initial Study prepared pursuant to the National Environmental Policy Act.

1.5. Purposes of an Initial Study.

The purposes of an Initial Study are to:

- a. Identify environmental impacts.
- b. Enable an applicant or Lead City Agency to modify a project, mitigating adverse impacts before an EIR is written.
- c. Focus an EIR, if one is required, on potentially significant environmental effects.
- d. Facilitate environmental assessment early in the design of a project.
- e. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment.
- f. Eliminate unnecessary EIRs.

1.6. Uses of an Initial Study.

- a. The Initial Study shall be used to provide a written determination of whether a Negative Declaration or an EIR shall be prepared for a project.
- b. Where a project is revised in response to an Initial Study so that potential adverse effects are mitigated

to a point where no significant environmental effects would occur, a Negative Declaration shall be prepared instead of an EIR. If the project would still result in one or more significant effects on the environment after mitigation measures are added to the project, an EIR shall be prepared.

c. The EIR shall emphasize study of the impacts determined to be significant and can omit further examination of those impacts found to be clearly insignificant in the Initial Study.

1.7 Consultation with Responsible Agencies and Trustee Agencies.

Prior to determining whether a Negative Declaration or an EIR is the appropriate environmental document, the Lead City Agency shall consult with all Responsible Agencies and those Trustee Agencies responsible for natural resources affected by the project. This consultation may be informal and shall be done at the beginning of the Initial Study process. A record shall be kept regarding the following for each consultation:

- a. The Responsible Agency contacted, including the name and title of the individual within the agency to whom the contact was directed.
- b. The method of contact (letter, telephone or personal).
- c. The response, if any, resulting from the contact.

2. Preparation of the Initial Study.*

a. Contents.

An Initial Study shall be in written form and shall contain the following:

- (1) A concise description of the project;
- (2) A brief description of the existing environment where the project will be located;

^{*} A form that shall be utilized for the Initial Study is attached as Appendix I.

- (3) An identification of environmental effects by use of a checklist;
- (4) An assessment, quantified where feasible, of the environmental impacts of the project, including reasons why such impacts may or will not be significant;
- (5) A discussion of ways to mitigate the significant effects identified, if any; and
- (6) An examination of whether the project is compatible with existing zoning and plans;
- (7) The name of the person or persons who prepared or participated in the Initial Study; and
- (8) A recommendation as to whether an EIR or a Negative Declaration is the appropriate environmental document for the project. If any of the possible adverse environmental impacts of the proposed project may be significant and will not be mitigated, the recommendation must be that an EIR be prepared.
- (9) When used together, the sample forms for the project description and environmental analysis contained in Appendices H and I will meet the requirements for an Initial Study.

b. Undefined Use.

In those instances where the precise nature of the ultimate project is not known, such as a zone change that would permit a variety of uses, the Initial Study must consider the significant environmental implications of all uses permitted by the proposed project. However, if the approval of the project is to be conditioned upon a particular use, the Initial Study need consider only the environmental implications of the use that will be permitted.

c. Private Projects.

If a project is to be carried out by a non-governmental person, the Lead City Agency may require such person to submit data and information to aid the Lead City Agency in preparing the Initial Study.*

d. Consultation With Participating City Agencies.

The Lead City Agency shall also consult with all Participating City Agencies regarding whether

environmental effects of the proposed project may be significant.

3. Determining Significant Effect on the Environment.

The following factors shall be considered in evaluating whether the project may have a significant effect on the environment:

- a. Each of the factors set forth in the list attached as Appendix G.
- b. A project shall be found to have a significant effect on the environment if:
 - (1) The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory;
 - (2) The project has the potential to achieve shortterm environmental goals to the disadvantage of long-term environmental goals;
 - (3) The project has possible environmental effects which are individually limited but cumulatively considerable. As used in this subsection, "cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects;
 - (4) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.
- c. If the Lead City Agency finds after an Initial Study that the project may have a significant effect on the environment, the Lead City Agency must prepare or cause to be prepared an EIR.

^{*} A form that may be utilized for the Environmental Information Form is attached as Appendix H.

- (1) An EIR should be prepared whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant effect on the environment.
- (2) An EIR should be prepared when there is serious public controversy concerning the environmental effect of a project.* Controversy not related to an environmental issue does not require the preparation of an EIR.

4. Mitigation Measures.

If there are legally enforceable mitigation measures available to reduce substantial adverse environmental impacts to insignificant levels, and the project is redesigned to incorporate such mitigation measures, and there are no other substantial adverse impacts, an EIR will not be required.**

^{*} The existence of a factual controversy, uncertainty, conflicting assertions, argument, or public controversy will not by itself require the preparation of an EIR when there is no substantial evidence that the project as designed and approved may have a significant effect on the environment.

Running Fence Corp. v. Superior Court, 51 Cal.App.3d 400 (1975). (Court of Appeal interpretation of the statement of the California Supreme Court in No Oil, Inc. v. City of Los Angeles, 13 Cal.3d 68 (1974), to the effect that "the existence of serious public controversy concerning the environmental effect of a project in itself indicates that preparation of an EIR is desirable.")

^{**} This procedure was approved by the Court of Appeal in Running Fence Corp. v. Superior Court, 51 Cal.App.3d 400 (1975). Also see Section 15080(d)(2) of the State EIR Guidelines.

5. Consideration of the Initial Study.

a. General.

Except as otherwise set forth in this section, each Lead City Agency shall designate a person or persons to consider Initial Studies and make recommendations as to whether proposed projects may have a significant effect on the environment. The identity of the person who prepared the Initial Study shall be made available to the public upon request.

b. Projects Involving Land Acquisition or Physical Development to be Carried Out by Council-Controlled Departments Where the City Council Is the Decision-Making Body, Except Projects Involving the Fire Department Facilities Trust Fund Expenditure Program.

For projects involving land acquisition or physical development to be carried out by Council-controlled departments where the City Council is the Decision-Making Body, except projects involving the Fire Department Facilities Trust Fund Expenditure Program, the Initial Study shall be submitted to the City Council for consideration and decision. No funds shall be expended on such projects, other than funds necessary to prepare the Initial Study, until the Lead City Agency is instructed by the City Council to prepare the appropriate environmental documents. Funds may then be expended to the extent necessary to prepare and process such documents.

ARTICLE V. NEGATIVE DECLARATION

1. Preparation of the Negative Declaration.*

A Negative Declaration shall be prepared for a project which could potentially have a significant effect on the environment, but which the Lead City Agency finds on the basis of an Initial Study will not have a significant effect on the environment.

Content of the Negative Declaration.

A Negative Declaration shall include the following:

- a. A brief description of the project, including a commonly used name for the project, if any;
- b. The location of the project and the name of the project proponent;
- c. A finding that the project will not have a significant effect on the environment;
- d. An attached copy of the Initial Study documenting the reasons to support the finding;
- e. Mitigation measures, if any, included in the project to avoid potentially significant effects.
- f. Written objections to the Negative Declaration, if any, received during the public review period, together with the Lead City Agency's response to such objections.

3. Deleted.

4. Public Review.

a. After the proposed Negative Declaration has been completed, it shall be filed with the City Clerk and made available for public review for a minimum of 30 days prior to approval of the project. During the 30-day period the Lead City Agency shall also consult with the following:

^{*} The form to be utilized for the Negative Declaration is attached as Appendix C.

- (1) Any public agency exercising authority over resources which may be affected by the project;
- (2) Any city or county which is the site of the project or is in an area in which the environmental effects of the project will occur.*
- b. If a State agency is a Responsible Agency or a Trustee Agency, the Negative Declaration, together with its supporting data, shall be sent to the State Clearinghouse at the same time it is filed with the City Clerk.
 - (1) The State review period for a Negative Declaration is 30 days.
 - (2) The number of copies of a Negative Declaraiton sent to the State Clearinghouse shall not be less than ten unless the State Clearinghouse approves a lower number in advance.
 - (3) While the Lead City Agency is encouraged to contact the regional and district offices of state Responsible Agencies and Trustee Agencies, the Lead City Agency must, in all cases, submit documents to the State Clearinghouse for distribution in order to comply with the review requirements of the State EIR Guidelines.
- c. During the 30-day public review period the Lead City Agency may consult with persons having special expertise with respect to any environmental impact involved.
- d. The Negative Declaration must also be made available upon request to members of the general public during the 30-day period. The 30-day public review period shall commence on the date notice of preparation of the Negative Declaration is published as required by Section 5 of this Article.
- e. Written objections to the Negative Declaration received by the Lead City Agency during the 30-day public review period shall be attached to the Negative Declaration, together with the response of the Lead City Agency to such objections.

^{*} The County of Los Angeles need be consulted only if the project will impact on an area under general County jurisdiction.

f. Whenever a Negative Declaration is prepared for a project meeting the criteria set forth in Section 5.5 of Article VI of these Guidelines relating to projects of statewide or regional significance, the Negative Declaration shall be submitted to the State Clearinghouse and the Southern California Association of Governments for review and comment.

5. Notice.

a. Required Notice.

Notice of the preparation of a Negative Declaration shall be provided to the public within 7 days of the filing of the Negative Declaration with the City Clerk. The Lead City Agency shall submit sufficient information to the City Clerk to enable the general public to ascertain the nature, scope and location of the proposed project and how a copy of the Negative Declaration can be obtained for review. The City Clerk shall ensure that such information is published at least once in a newspaper of general circulation in the area affected by the proposed project. Notice shall also be given to all organizations and individuals who have previously requested such notice for the subject project.

b. Additional Notice.

The alternatives for providing notice specified in Subsection a shall not preclude a Lead City Agency from providing additional notice by other means if so desired, nor shall the requirements of this section preclude a Lead City Agency from providing the public notice required herein at the same time and in the same manner as public notice otherwise required by law for such project. Additional notices may include:

- (1) Posting of notice on and off site in the area where the project is to be located.
- (2) Direct mailing to owners of property contiguous to the project.
- 6. Consideration of the Negative Declaration by the Decision-Making Body.
 - a. Submittal of Negative Declaration to Decision-Making Body.

A copy of the Negative Declaration, including a copy of the Initial Study, the names of persons consulted in the preparation and review of the Negative Declaration, any comments received regarding the validity of the finding that the project will not have a significant effect on the environment, and the response of the Lead City Agency to such comments, shall be forwarded to each member of the Decision-Making Body of the Lead City Agency no later than two days prior to consideration of the project by the Decision-Making Body.

b. Consideration of Negative Declaration and Supporting Data.

The Decision-Making Body shall review and consider the Negative Declaration in connection with its determination of whether or not to approve the project.

c. Adoption of Negative Declaration.

If the Decision-Making Body finds there is sufficient data to support a finding that the project will not have a significant effect on the environment, it shall adopt the Negative Declaration. Such adoption shall be prior to or concurrent with the decision to approve or disapprove the project.

d. Inadequate Support for Negative Declaration.

If the Decision-Making Body finds that there is insufficient data to support a finding that the project will not have a significant effect on the environment, it shall either request the Lead City Agency to provide additional data or instruct the Lead City Agency to prepare an EIR. The Decision-Making Body shall then postpone its consideration of whether or not to approve the project until such has been accomplished.

e. Proprietary Department Project Needing City Council Approval.

Where a proprietary department is the Lead City Agency for a project for which a Negative Declaration has been prepared and City Council approval is required before the project may proceed, both the Board governing the proprietary department and the City Council are Decision-Making Bodies and both shall comply with this section in determining whether to approve the project. In such cases the Notice of Determination shall be prepared by the Lead City Agency and filed after City Council action on the project.

7. Notice of Determination.*

a. Content of the Notice of Determination.

After a decision is made to carry out or approve a project for which a Negative Declaration has been approved, the Lead City Agency shall prepare and file a Notice of Determination, which shall include:

- (1) An identification of the project including its common name, if any, and its location.
- (2) A brief description of the project.
- (3) The date on which the Decision-Making Body approved the project.
- (4) The determination that the project will not have a significant effect on the environment.
- (5) A statement that a Negative Declaration has been prepared for the project.
- (6) The address where a copy of the Negative Declaration may be examined.

b. Filing of the Notice.

The Notice of Determination shall be filed with the County Clerk of any county where the project will be located and with the City Clerk.**

c. (Deleted.)

^{*} The form to be used for the Notice of Determination is attached as Appendix D.

^{**} Any action or proceeding alleging that a public agency has improperly determined whether a project may have a significant effect on the environment shall be commenced within 30 days after the filing of the Notice of Determination with the County Clerk.

d. State Agency is Responsible Agency.

If the project requires the discretionary approval of a state agency, a copy of the Notice of Determination shall be filed with the Secretary for Resources, 1416 Ninth Street, Sacramento, California 95814.

e. City Council is Decision-Making Body.

In those instances where the City Council is the Decision-Making Body, the Notice of Determination shall be prepared by the Lead City Agency and transmitted to the City Clerk for filing. The Notice of Determination shall be filed within one week after the Decision-Making Body acts upon the project.

ARTICLE VI. PREPARATION AND PROCESSING OF EIRS

1. Preparation of the EIR.

The EIR for a project shall be prepared by the Lead City Agency by its own efforts or by contract. Any disputes regarding this responsibility shall be submitted to the City Council for resolution. If the project is to be carried out by a private applicant, the applicant shall be required to submit data and information to aid the Lead City Agency in preparing the EIR.

1.5 Early Consultation.

Within 25 calendar days after deciding that an EIR is required for a project, the Lead City Agency shall initiate consultation with the following persons for purposes of obtaining information regarding the scope and content of the environmental information to be included in the EIR:

a. Responsible Agencies.

- (1) The Lead City Agency shall send to each Responsible Agency by certified mail a Notice of Preparation* stating that an EIR will be prepared. The Notice shall provide the Responsible Agencies with sufficient information describing the project and its environmental effects to enable the Responsible Agencies to make a meaningful response.** At a minimum, the information shall include:
 - (a) Description of the project.
 - (b) Location of the project indicated either on an attached map (preferably a copy of a U.S.G.S. 15' or 7 1/2' topographical map identified by quadrangle name), or by a street address in an urbanized area.

^{*} The form that may be utilized for the Notice of Preparation is attached as Appendix K.

^{**} State EIR Guideline Section 15085.5 (b)(2) requires a Responsible Agency to respond to a Notice of Preparation within 45 days of its receipt and that the response specify the scope and content of the environmental information which would be germane to the Responsible Agency's statutory responsibilities in connection with the proposed project.

- (c) Probable environmental effects of the project.
- (2) The Lead City Agency shall also send a copy of the Notice of Preparation to those Trustee Agencies responsible for natural resources that will be affected by the project.
- (3) The Lead City Agency may begin work on the draft EIR without waiting for responses to the Notice of Preparation.
- (4) The draft EIR in preparation shall be revised or expanded as necessary to conform to responses to the Notice of Preparation.
- (5) To send copies of the Notice of Preparation, the Lead City Agency shall use either certified mail or any other method of transmittal which provides it with a record that the notice was received.
- (6) In order to expedite the consultation, the Lead City Agency, a Responsible Agency, a Trustee Agency, or a project applicant may request one or more meetings between representatives of the agencies involved to assist the Lead City Agency in determining the scope and content of the environmental information which the Responsible Agency may require. Such meetings shall be convened by the Lead City Agency as soon as possible, but no later than 30 days after the meetings were requested.
- (7)When one or more State agencies will be a Responsible Agency, the Lead City Agency shall send a Notice of Preparation by certified mail to each State Responsible Agency and Trustee Agency with a copy to the State Clearinghouse in the Office of Planning and Research. The State the State Clearinghouse will ensure that Responsible Agencies and Trustee Agencies reply to the Lead City Agency within the required time. When the Notice of Preparation is submitted to the State Clearinghouse, the State identification number issued by the Clearinghouse shall be the identification number for all subsequent environmental documents on the project. identification number should be referenced on all subsequent correspondence regarding the project, specifically on the title page of the draft and final EIR and on the Notice of Determination.

- b. Persons or Organizations Concerned with the Environmental Effects of the Project.
 - (1) The Lead City Agency shall consult directly with any person or organization it believes will be concerned with the environmental effects of the project.
 - (2) This consultation requirement may be satisfied either by forwarding a copy of a Notice of Preparation or the Initial study to the person or organization. If neither document is used, information sufficient to meet the minimum requirements of the Notice of Preparation shall be provided.
 - (3) Persons or organizations that will be considered concerned will generally include the following:
 - (a) Homeowners' associations located in the area where the major impacts of the project are likely to occur.
 - (b) Persons or organizations that have substantially commented on an EIR previously circulated for a similar project in the same area.
 - (c) Volunteer citizen organizations which are known to the Lead City Agency as having an interest in the environmental effects of the type of project involved or in the area where the project will be located.

c. <u>Federal Agencies</u>.

The Lead City Agency shall send a Notice of Preparation by certified mail to any federal agency that will be involved in approving or funding the project.

d. Participating City Agencies.

The Lead City Agency shall send a copy of the Notice of Preparation to Participating City Agencies, if any.

2. The Draft EIR.*

- a. Contents.** The draft EIR shall contain a concise discussion of the following elements:***
 - (1) Description of the Project.

The description of the project shall contain only that information necessary for evaluation and review of the project's environmental impact.

- (a) The location and boundaries of the project shall be shown on a map, preferably topographic. A plot plan shall be provided and shall indicate the location of any proposed improvements.
- (b) A statement of the objectives of the proposed project.
- (c) A general description of the project's planning, construction, and operational characteristics. If the project is to be developed in more than one phase, identify the phases and the projected time frame for the implementation of each phase. The EIR shall cover all phases of the project.

^{*} Acceptance by the Lead City Agency of data and information in the form of a draft EIR requires compliance with Section 2e of this article.

^{**} Section 2a is explanatory of Sections 15140, 15141, 15142 and 15143 of the State EIR Guidelines and does not represent a departure from the State requirements.

^{***} Each element must be covered, and when these elements are not separated into distinct sections, the document shall state where in the document each element is discussed.

(2) Brief Overview of the Project's Environmental Setting.

(a) Existing Conditions.

The EIR must contain a brief overview of the environment in the vicinity of the project from both a local and a regional perspective, as it exists prior to commencement of the project. Current land use and zoning maps in scales appropriate to the nature of the project should be included. Special emphasis should be placed on environmental resources that are rare or unique to the region.

(b) Related Projects.

Identify related projects (public or private, existing or known to be planned) in the vicinity of the project, for purposes of examining the possible cumulative impact of such projects.

(c) Applicable General, Specific and Regional Plans.

The EIR shall discuss any inconsistencies between the proposed project and applicable general, specific and regional plans. Regional plans include, but are not limited to, the applicable Air Quality Management Plan (or State Implementation Plan once adopted), area-wide waste treatment and water quality plans, regional transportation plans, and regional land use plans for the protection of the coastal zone and the Santa Monica Mountains.

(3) Environmental Impacts of the Proposed Project.

Discuss each potentially significant environmental impact identified in the Initial Study. In evaluating such impacts, consider all phases of the project - planning, development and operation. Support conclusions with quantified data, where feasible. The following topics shall be covered in each discussion of an environmental impact:

(a) Environmental Setting.

Describe existing conditions that will be affected by the particular impact.

(b) Significant Environmental Impacts.

Describe potentially significant adverse and beneficial environmental impacts that could result from project implementation.

(c) Mitigation Measures.

Describe significant, avoidable, adverse impacts and measures to minimize these The discussion of mitigation impacts. distinguish between measures shall measures which are proposed by project proponents to be included in the project and other measures that are not included but could reasonably be expected to reduce impacts. This discussion shall adverse identify the mitigation measures which will eliminate such impacts or reduce them to a level of insignificance. Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Any mitigation measure that is available and would substantially reduce the environmental impact of the proposed project shall be evaluated for feasibility and the reasons why the mitigation measure is or is not feasible set forth.

(d) Unavoidable Adverse Impact.

Describe any significant impacts, including those which can be reduced to an insignificant level but not eliminated. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed notwithstanding their effect, should be described. Describe significant impacts on any aesthetically valuable surroundings, or on human health.

(e) <u>Cumulative Impacts</u>.

Describe possible environmental effects of the project which are individually limited but may be cumulatively considerable when viewed in connection with the effects of past projects, other current projects and probable future projects. A discussion of cumulative impacts shall reflect their severity and significance but such impacts need not be

discussed in as great detail as the direct effects of the project. The discussion of cumulative impacts should be guided by a standard of practicality and reasonableness. The following three elements are necessary to an adequate discussion of cumulative impacts:

- (i) A list of projects producing related or cumulative impacts, including those projects outside the control of the agency,
- (ii) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information where that information is available, and
- (iii) A reasonable analysis of the cumulative impacts of the relevant projects.
- (4) Measures to Reduce Energy Consumption.*
 - (a) Identify measures incorporated into the project design to reduce inefficient and unnecessary consumption of energy.

^{*} Examples of energy conservation measures are provided in Appendix F.

- (b) Discuss alternative or additional measures which could further reduce consumption.
- (5) Long-Term Implications of the Proposed Project.*

Describe the cumulative and long-term effects of the proposed project in the context of the following where relevant to the type of project involved:

- (a) The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity.
 - (i) Identify impacts which narrow the range of beneficial uses of the environment or pose long-term risks to health or safety.
 - (ii) Explain why the project is justified now, rather than reserving an option for alternatives which may not now be feasible but which may be in the future.
- (b) Irreversible Environmental Changes Which Would be Involved in the Proposed Project if it Is Implemented.
 - (i) Describe the irretrievable commitment of resources, both in the construction and operation of the project, and provide justification for such consumption.
 - (ii) Discuss whether commitment of the site to this use would restrict future generations to the same use.
 - (iii) Discuss irreversible environmental damage that could result from negligent operation or failure of the project's environmental safeguards.

^{*} Pursuant to authority contained in State EIR Guideline Section 15143.1, the information required by Paragraphs (a) and (b) of this Subdivision need be included only in EIRs prepared in connection with the adoption, amendment, or enactment of a plan, policy, or ordinance of the City, or in connection with a project which will be subject to the requirements of an EIS pursuant to the requirements of NEPA.

- (c) The Growth-Inducing Impact of the Proposed Action.
 - (i) Identify the ways in which the proposed project could foster economic or population growth, either directly or indirectly, in the surrounding environment. Determine whether increases in population could further burden existing community services facilities or require the construction of new facilities.
 - (ii) Discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.
 - (iii) It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.
- (6) Alternatives to the Proposed Action.
 - (a) Describe all reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project. The discussion of alternatives shall focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance, even if these alternatives substantially impede the attainment of the project objectives and are more costly.
 - (i) Alternative means of attaining the basic objectives of the project.* This type of alternative generally does not apply to private projects.

^{*} For example, there may be several alternatives for providing electrical energy - coal, fuel oil, nuclear power, etc. Ideally, alternatives should be evaluated prior to project selection and the project which minimizes adverse impact while attaining basic objectives of the project sponsor should be set forth as the project proposal.

- (ii) Alternative uses of the site.
- (iii) Alternative sites.
 - (iv) The alternative of no project or postponing the project.
- (b) If an alternative appears reasonable on its face, but further studies indicate that it is not reasonable, the alternative should be briefly discussed and the reasons why the alternative is not reasonably set forth.
- (c) Identify the environmental impacts of the various alternatives, including the proposed project. Explain why the proposed project was selected.
- (d) If the environmental impact of the proposed project cannot be reduced to an "acceptable level," as defined in Section 9.5 of this Article, then any alternative that is reasonable and would substantially lessen the environmental impact of the proposed project if appropred in its place shall be evaluated for feasibility and the reasons why the alternative is or is not feasible set forth.
- (e) The environmentally superior alternative shall be identified. If the environmentally superior alternative is the "no project" alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

b. <u>Degree of Specificity</u>.

The degree of specificity required in each EIR is a variable which depends on the nature of the project proposed. An EIR on a construction project will be more detailed in the specific effects of the project than will an EIR on the adoption of a local general plan element or comprehensive zoning ordinance, because the effects of the construction can be predicted with greater accuracy. In those instances where the precise nature of the ultimate project is unknown, such as a zone change that would permit a variety of uses, the EIR must encompass the significant environmental implications involved if the project is approved. An EIR on comprehensive projects such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan element should focus on the environmental consequences of policies and programs

contained in the plan or the ordinance. To the extent possible the EIR should discuss the cumulative and growth-inducing impacts of implementing such policies and programs.

c. Appendices.

(1) Identity of Preparer of EIR.*

Identify that person within the Lead City Agency responsible for the preparation of the EIR. Identify consultants that prepared any portion of the EIR or who provided reports or other expertise for use in the preparation of the EIR.

(2) Data Sources.

Identify published data used in the preparation of the EIR.

(3) Technical Studies and Reports.

Technical studies and reports on the proposed project which are used in the preparation of the EIR may be attached to the EIR as Appendices, or may be referenced as to their location and availability for review.

A number of statutes provide that certain professional services can be provided to the public only by individuals who have been registered by a registration board established under California law. Such statutory restrictions apply to a number of professions including but not limited engineering, land surveying, forestry, geology and In its intended usage, an EIR is not a geophysics. technical document that can be prepared only by a registered The EIR serves as a public disclosure professional. document explaining the effects of the proposed project on the environment, alternatives to the project and ways to minimize adverse effects and to increase beneficial effects. As a result of information in the EIR, the Lead Agency should establish requirements or conditions on project design, construction, or operation in order to protect or enhance the environment. State statutes may provide that only registered professionals can prepare technical studies which will be used in or which will control the detailed design, construction, or operation of the proposed project and which will be prepared in support of an EIR. (State EIR Guidelines, Section 15075.)

(4) Initial Study.

Attach a copy of the Initial Study together with the Initial Study checklist and the worksheets used to quantify and qualify possible environmental concerns.

(5) Organizations and Persons Consulted.

Identify all federal, state and local agencies, other organizations, and private individuals consulted during the preparation of the draft EIR, together with the nature of their comments.

d. Deleted.

e. Use of Environmental Information Submitted by a Project Applicant.

Information submitted in the form of a draft EIR by a project applicant must be subjected to independent evaluation and analysis by the Lead City Agency, and must represent the independent judgment of the Lead City Agency prior to circulation of the draft EIR for public review. An applicant shall be required to list any other public agencies having approval power over the project at the time it submits the data and information. The Lead City Agency must ensure that Participating City Agencies and public agencies having approval power over the project are given an opportunity to have input in the draft EIR prior to circulation for public review.

f. Summary, Summary Sheet and Table of Contents or Index.

Each draft EIR shall contain a brief summary of the proposed action and its consequences in language sufficiently simple that the issues can be understood by the average member of the lay public. The summary shall stress the major conclusions, areas of controversy (including issues raised by agencies and the public), and the issues to be resolved (including the choice among alternatives and how to mitigate the significant effects). The summary should normally not exceed 15 pages. A summary sheet (see Appendix B for form and content) shall be prepared and attached at the front of the draft EIR. The EIR shall also contain a table of contents or an index.

g. Effects Found Not to be Significant.

An EIR shall contain a statement briefly indicating the reasons that various possibly significant effects of a

project were determined not to be significant and were therefore not discussed in detail in the EIR. Such a statement may be contained in an attached copy of an Initial Study.

h. Guidelines for Drafting the EIR.

- (1)The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams and similar relevant information full sufficient to permit assessment significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analyses and data in the body of an EIR should be avoided through inclusion of supporting information and analyses appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be available for public examination and shall be submitted to all clearinghouses which assist in public review.
- (2) The EIR should be prepared using a systematic, interdisciplinary approach. The interdisciplinary analysis shall be conducted by competent individuals, but no single discipline shall be designated or required to undertake this evaluation. Preparation of EIRs is dependent upon information from many sources, including the engineering project report and many scientific documents relating to environmental features. The EIR shall reference all documents used in its preparation including, where possible, a citation to the page and section number of any technical reports which were used as the basis for any statements in the EIR.
- (3) The EIR should discuss environmental effects in proportion to their severity and probability of occurrence. Effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless the Lead City Agency subsequently receives information inconsistent with the finding in the Initial Study. A copy of the Initial Study shall be attached to the EIR to provide the basis for limiting the impacts discussed.
- (4) An EIR shall contain a statement briefly indicating the reasons for determining that various effects of a project that could possibly be considered significant were not found to be

- significant and consequently were not discussed in detail in the EIR.
- (5) Drafting an EIR necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.
- (6) If, after thorough investigation, a Lead City Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.
- (7)EIR may incorporate by reference all portions of another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR. Where part of another document is incorporated by reference, such other document shall be made available to the public for inspection at a public place or public building. The EIR shall state where the incorporated documents will be available for inspection. At a minimum, the incorporated document shall be made available to the public in an office of the Lead City Agency in the county where the project would be carried out or in one or more public buildings, such as county offices or public libraries, if the Lead City Agency does not have an office in the county. Where an EIR uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. relationship between the incorporated part of the referenced document and the EIR shall be described. Where the Lead City Agency incorporates information from an EIR that has previously been reviewed through the State review system, the State identification number of the incorporated document should be included in the summary or description of the incorporated information.
- (8) An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental

effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

i. EIR As Part of General Plan.

- (1) The requirements for an EIR on a local general plan, element or amendment thereof will be satisfied by the general plan or element document, and no separate EIR will be required if:
 - (a) The general plan addresses all the points required to be in an EIR by Article VI of these Guidelines; and
 - (b) The document contains a special section or a cover sheet identifying where the general plan document addresses each of the points required.
- (2) The Lead City Agency for the general plan, element, or amendment shall forward the appropriate documents to the State Clearinghouse for State review.

3. Notice of Completion.

a. State Notice.

As soon as the draft EIR is completed, a Notice of Completion must be filed with the Secretary for Resources. The notice shall include a concise description of the project and its location, an address where copies of the draft EIR are available, and the period during which comments will be accepted. A form for this notice is attached as Appendix E. Where the EIR will be reviewed through the State Clearinghouse process, the cover form required by the State Clearinghouse will serve as the Notice of Completion, and no Notice of Completion need be sent to the Resources Agency.

b. Local Notice.

Local Notice of the availability of a draft EIR for public review and comment shall be provided within 7 days after the filing of the draft EIR with the City Clerk. The Lead City Agency shall submit sufficient

information to the City Clerk to enable the general public to ascertain the nature, scope and location of the proposed project and how a copy of the draft EIR can be obtained for review. The City Clerk shall ensure that such information is published at least once in a newspaper of general circulation in the area affected by the proposed project. Notice shall also be given to all organizations and individuals who have previously requested such notice for the subject project.

c. Additional Notice.

The alternatives for providing notice specified in Subsection b shall not preclude a Lead City Agency from providing additional notice by other means if so desired, nor shall this section preclude a Lead City Agency from providing the public notice required herein at the same time and in the same manner as public notice otherwise required by law for such project. Such additional notice may include the following:

- (1) Posting of notice on and off site in the area where the project is to be located.
- (2) Direct mailing to owners of property contiguous to the project.

4. Public Review.

a. Agencies That Shall be Consulted.

After completing a draft EIR, the Lead City Agency shall consult with the following:

- (1) Any Responsible Agency or Trustee Agency.
- (2) Any city or county which is the site of the project or is in the area in which the major environmental effects of the project will occur.*

b. Persons That Should be Consulted.

The Lead City Agency should consult with persons having special expertise with respect to any environmental impact involved.

^{*} The County of Los Angeles need be consulted only if the project will impact on an area under general County jurisdiction.

c. Review by the General Public.

Opportunity for comments from the public shall be provided. Lead City Agencies should ensure that sufficient copies of draft EIRs are made available for adequate public review. Draft EIRs should be made available to the public by filing copies with the local public library branch serving the area where the project will be located.

d. Commencement of the Public Review Period.

The public review period shall commence on the date notice of the availability of the draft EIR for public review is published as required by Subsection b of Section 3 of this Article.

e. Review Periods.

The Lead City Agency must provide adequate time for other public agencies and members of the public to review and comment on the EIR. Accordingly, review periods for draft EIRs shall not be less than 30 nor more than 90 days, unless the nature of the project justifies a longer review period. The length of a review period shall be commensurate with the size and complexity of the project and the EIR. Reasonable requests for extensions of time should be granted where such extensions would not conflict with time constraints established by State law, the City Charter, City ordinances, or other compelling considerations. The review period for draft EIR's for which a State Agency is a Responsible Agency shall be at least 45 days unless a shorter period is approved by the State Clearinghouse.

f. Failure to Comment.

If any public agency or person who is consulted regarding a draft EIR fails to comment within the prescribed review period, it may be assumed, absent a request for an extension of time, that such agency or person has no comment to make.

5. Review by State Agencies.

- a. Environmental Documents That Must be Submitted to State Clearinghouse.
 - (1) The following environmental documents shall be submitted to the State Clearinghouse, 1400 Tenth

Street, Sacramento, California 95814, for review by State agencies:

- (a) Draft EIRs where a State agency is a Responsible Agency or a Trustee Agency.
- (b) Draft EIRs prepared pursuant to NEPA and the Federal Guidelines (Title 40 CFR, Part 1500, commencing with Section 1500.0) and Parts I and II of Office of Management and Budget Circular A-95.
- (2) The number of copies of an EIR submitted to the State Clearinghouse shall not be less than ten unless the State Clearinghouse approves a lower number in advance.
- (3) While the Lead City Agency is encouraged to contact the regional and district offices of State Responsible Agencies and Trustee Agencies, the Lead City Agency must, in all cases, submit documents to the State Clearinghouse for distribution in order to comply with the review requirements of this Section.

b. Review Period.

When an EIR is submitted to the State Clearinghouse, the review period set by the Lead City Agency shall be at least as long as the 45-day period provided in the State review system operated by the State Clearinghouse. In exceptional circumstances, the State Clearinghouse may set shorter review periods when requested by the Lead City Agency.

c. State Agency with Special Expertise.

Lead City Agencies may send draft EIRs to the State Clearinghouse for review where a State agecy has special expertise with regard to the environmental impacts invovled.

5.5 Projects of Statewide, Regional or Areawide Significance.

a. Projects meeting the criteria in this Section shall be deemed to be of statewide, regional or areawide significance. EIRs or Negative Declarations prepared by any Lead City Agency on a project described in this Section shall be submitted to the State Clearinghouse and the Southern California Association of Governments for review and comment.

- b. The Lead City Agency shall determine that a proposed project is of statewide, regional or areawide significance if the project meets any of the following criteria:
 - (1) A proposed local general plan, element, or amendment thereof for which an EIR was prepared.
 - (2) A project which would interfere with the attainment or maintenance of state or national air quality standards, including the following:
 - (a) A proposed residential development of more than 500 dwelling units.
 - (b) A proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
 - (c) A proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
 - (d) A proposed hotel/motel development of more than 500 rooms.
 - (e) A proposed industrial manufacturing or processing plant or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land or encompassing more than 650,000 square feet of floor area.
 - (3) A project which would result in the cancellation of an open space contract made pursuant to the California Land Conservation Act of 1965 (Williamson Act) for any parcel of 100 or more acres.
 - (4) A project located in and substantially impacting an area of critical environmental sensitivity for which an EIR was prepared, including the following:
 - (a) The Lake Tahoe Basin.
 - (b) The Santa Monica Mountains Zone as defined by Section 67463 of the Government Code.
 - (c) The California Coastal Zone, as defined in and mapped pursuant to Section 30103 of the Public Resources Code.

- (d) An area within 1/4 mile of a wild and scenic river, as defined by Section 5093.5 of the Public Resources Code.
- (e) The Sacramento-San Joaquin Delta, as defined in Section 12220 of the Water Code.
- (f) The Suisun Marsh, as defined in Section 29101 of the Public Resources Code.
- (g) The jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined by Section 66610 of the Government Code.
- (5) A project which would substantially affect sensitive wildlife habitats, including, but not limited to, riparian lands, wetlands, bays, estuaries, marshes and habitats for rare and endangered species, as defined by Section 903 of the Fish and Game Code.
- (6) A project which would interfere with attainment of regional water quality standards, as stated in the approved areawide waste water management plan.
- (7) A project which would provide housing, jobs, or occupancy for 500 or more people within 10 miles of a nuclear power plant.

6. Public Hearings.

a. When necessary.

A public hearing on the environmental impact of a project should be held when the Lead Agency determines that it would facilitate the purposes and goals of CEQA and these Guidelines. In deciding whether a public hearing is appropriate, the Lead City Agency shall consider the following:

- (1) The magnitude of the proposed project in terms of economic costs, the geographic area involved, and the nature and extent of the commitment of resources involved;
- (2) The degree of interest in the proposed project, as evidenced by requests from the public and from federal, State and local authorities that a hearing be held;

- (3) The complexity of the environmental issues and the likelihood that information will be presented at the hearing which will be of assistance to the Lead City Agency in fulfilling its responsibilities under CEQA; and
- (4) The extent to which public involvement already has been achieved through other means, such as previous public hearings, meetings with citizen representatives, and written comments on the proposed action.

b. Who May Conduct the Hearing.

The Lead City Agency may conduct the public hearing itself or may request that the hearing be conducted by the Office of Environmental Quality. If the Office of Environmental Quality conducts the hearing, it shall provide the Lead City Agency with a summary of the significant comments made by persons testifying at the hearings.

c. Utilization of Hearings Otherwise Required.

Where appropriate, the Lead City Agency should utilize public hearings otherwise required by law for the additional purpose of obtaining public input on the environmental impacts of the proposed project.

7. The Final EIR.

a. Contents of the Final EIR.

The final EIR shall be prepared by the Lead City Agency and shall consist of the following:

- (1) The draft EIR:
- (2) A list of persons, organizations and public agencies commenting on the draft EIR;
- (3) The comments and suggestions received on the draft EIR, verbatim or in summary;
- (4) The responses of the Lead City Agency to significant environmental points raised in the review and consultation process;
- (5) A brief summary of the significant information contained in the EIR, together with a summary sheet (see Appendix B for form and content)

prepared and attached at the front of the final EIR; and

(6) A certification prepared by the Lead City Agency pursuant to subsection d of this section.

b. Evaluation and Response to Comments.

- (1) The Lead City Agency shall evaluate comments received during the review period, including comments received at any public hearing.
- (2) The response of the Lead City Agency to comments received may take the form of a revision or an attachment to the draft EIR. If the draft EIR is revised, a notation shall be made after the comment indicating the location of the revisions. The response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted.

c. Contents of the Summary.

The summary should contain concise statements of the environmental concerns discussed in the EIR.

d. Certification of EIR by Lead City Agency.

A final EIR presented to the Decision-Making Body of a Lead City Agency shall be accompanied by a statement signed by an appropriate officer of the department, bureau, division, section, office or agency that prepared the EIR, stating that the EIR was completed in compliance with CEQA, the State EIR Guidelines, and the City of Los Angeles CEQA Guidelines.

e. Review of the Final EIR.

Upon certification of the final EIR pursuant to Subsection d of this Section, a copy shall be forwarded to the City Clerk. A notice shall be sent to each person or organization that commented in writing on the draft EIR stating that a final EIR has been prepared and where a copy may be examined or obtained. The notice shall contain the date the project is scheduled

to be considered by the Decision-Making Body, if such date is known at the time the notice is sent.

8. Staff Recommendations.

a. Recommendations Required.

Where the Lead City Agency is not the project sponsor, it shall make recommendations to the Decision-Making Body regarding the following:

- (1) Whether feasible mitigation measures are available which need to be made conditions of the project. For each mitigation measure, indicate whether it can be routinely imposed as a condition of approval; and, if so, set forth the procedure by which it can be enforced. If the mitigation measure cannot be imposed pursuant to existing City procedures, describe the means by which the measure could be imposed and enforced.
- (2) Whether reasonable and available alternatives to the project that would significantly reduce the impact on the environment should be approved;
- (3) Whether the project should be approved.

b. Reasons for Recommendation of Approval.

Where the Lead City Agency recommends approval of a project that has substantial adverse impacts on the environment, is not the best feasible alternative, or does not use feasible measures to reduce the environmental impact, the Lead City Agency shall set forth the reasons why it believes the project warrants approval as proposed.

9. Consideration of the Proposed Final EIR by the Decision-Making Body.

a. Submittal of EIR to Decision-Making Body.

A copy of the proposed final EIR shall be forwarded to each member of the Decision-Making Body or the Lead City Agency no less than two days prior to consideration of the project by the Decision-Making Body.

VI-23

b. Consideration of EIR.

The Decision-Making Body shall review and consider the contents of the final EIR in connection with the determination of whether or not to approve the project.

c. Certification of EIR.

If the Decision-Making Body is satisfied that the proposed final EIR adequately discusses all significant environmental issues, it shall certify that the proposed final EIR has been prepared in compliance with CEQA, the State EIR Guidelines, and the City of Los Angeles CEQA Guidelines, and that it has reviewed and considered the contents of the final EIR in its decision-making process. Such certification shall be done prior to or concurrent with the decision on the project.

d. Return of Inadequate EIR to Lead City Agency.

If the Decision-Making Body finds that the information contained in the proposed final EIR is not adequate, the EIR shall be returned to the Lead City Agency for further evaluation. The Decision-Making Body shall then postpone its consideration of whether or not to approve the project until such has been accomplished.

e. Supplementing and Recirculating an Inadequate EIR.

The EIR shall be supplemented and recirculated for public review if the Decision-Making Body finds any of the following:

- (1) The Lead City Agency did not adequately discuss substantial adverse environmental impacts or feasible alternatives in the draft EIR previously circulated for public review;
- (2) The information contained in the draft EIR previously circulated for public review was so inaccurate, incomplete, biased or misleading so as to have prevented meaningful public review;
- (3) The draft EIR previously circulated for public review did not reflect the independent judgment of the Lead City Agency; or
- (4) The project has been substantially modified or its location significantly altered so as to cause significant adverse environmental impacts not discussed in the draft EIR previously circulated for public review.

In recirculating a supplemented EIR, the Lead City Agency shall comply with the provisions of Sections 3 through 8 of this article.

f. Decision-Making Body Responsible for Conclusions.

If the Decision-Making Body disagrees with the conclusions set forth in the EIR regarding the significance of environmental impacts or feasibility of mitigation measures and alternatives, the Decision-Making Body shall correct them and set forth its reasons for the correction.

g. Mitigation or Avoidance Mandatory Where Feasible.

Each Decision-Making Body shall mitigate or avoid the significant effects on the environment of projects it approves or carries out whenever it is feasible to do so.

h. Duty to Mitigate or Avoid Where City of Los Angeles is a Responsible Agency.

When the City of Los Angeles is a Responsible Agency, the Decision-Making Body shall have responsibility for mitigating or avoiding only those significant effects of the proposed project ensuing from that portion of the project to be carried out or approved by the City of Los Angeles.

i. Proprietary Department Project Needing City Council Approval.

Where a proprietary department is the Lead City Agency for a project requiring the preparation of an EIR and City Council approval is required before the project may proceed, both the Board governing the proprietary department and the City Council are Decision-Making Bodies and both shall comply with this section and Sections 9.5 and 10 of this article in determining whether to approve the project. In such cases the Notice of Determination shall be prepared by the Lead City Agency and filed after City Council action on the project.

j. Approval of an Alternative to the Proposed Project.

An alternative to the proposed project may be approved by the Decision-Making Body, provided it otherwise has the authority to do so, without further supplement to or review of the EIR providing that:

- (1) The EIR contains a full discussion of the environmental consequences of the alternative; or
- (2) The alternative has the same basic environmental impacts as the proposed project but such impacts are of lesser magnitude.

9.5. Findings.

a. Duty to Mitigate or Avoid Significant Environmental Effects.

No Decision-Making Body of the City of Los Angeles shall approve or determine to carry out a project for which an Environmental Impact Report has been completed which identifies one or more significant effects of the project unless the Decision-Making Body makes one or more of the following written findings for each of those significant effects, accompanied by a statement of the facts supporting each finding.

- (1) Changes or alterations have been required, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City of Los Angeles and such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.
- b. Findings to be Supported by Substantial Evidence.

The findings required by Subsection a shall be supported by substantial evidence in the record.

c. Concurrent Jurisdiction with Another Agency.

The finding in Subdivision (2) of Subsection a shall not be made if the Decision-Making Body making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.

d. A Decision-Making Body may approve or carry out a project as proposed if the significant environmental

effects have been reduced to an acceptable level. The term "acceptable level" means that:

- (1) All significant environmental effects that can feasibly be avoided have been eliminated or substantially lessened as determined through findings made pursuant to Subsection a of this Section, and
- (2) Any remaining, unavoidable significant effects have been found acceptable pursuant to Section 10 of this Article.

10. Statement of Overriding Considerations.

a. When Required.*

A Statement of Overriding Considerations shall be adopted by a Decision-Making Body at the time of approval of a project if it finds that substantial adverse environmental impacts have been identified in the EIR which cannot be mitigated to an insignificant level or eliminated.

b. Contents.

The Statement of Overriding Considerations shall set forth the following:

- (1) Substantial adverse environmental impacts that cannot be mitigated or avoided;
- (2) Recommendations, if any, by the Lead City Agency that the project not be approved as proposed; and
- (3) The reasons why, in the opinion of the Decision-Making Body, the project warrants approval despite such consequences or recommendations.

^{*} A Statement of Overriding Considerations is "permissive" pursuant to Section 15088 of the State EIR Guidelines. However, subsequent to the promulgation by the Secretary for Resources of Section 15088, the Court of Appeal held that the failure to set forth the overriding economic or social values of a project was grounds for setting aside the approval of a project where there were adverse environmental effects and recommendations that the project as proposed be disapproved. Burger v. County of Mendocino, 45 C.A.3d 322 (1975).

c. Preparation.

Statements of Overriding Considerations shall be prepared by the Lead City Agency as follows:

- of a project requiring a Statement of Overriding Considerations, the Lead City Agency shall prepare the Statement and present it to the Decision-Making Body for its consideration at the time the project is before it for decision. If the Decision-Making Body approves the project, it may adopt the Statement as prepared or modify it prior to adoption.
- (2) If the Lead City Agency is recommending that the project be disapproved or modified before approval and the project is approved as proposed, the Decision-Making Body shall indicate its reasons for overriding the recommendations and the Lead City Agency shall forthwith prepare the Statement and submit it to the Decision-Making Body for its approval.

d. Finding re Benefits of Project.

The Statement of Overriding Considerations must contain a finding that the social, economic, or other environmental benefits of the project as approved outweigh its environmental costs, and such finding must be supported by substantial evidence in the record.

e. Inclusion in Record of Project Approval.

If a Statement of Overriding Consideration is adopted, it shall be included in the record of project approval.

11. Notice of Determination.*

a. Content of the Notice of Determination.

After approving a project for which an EIR was prepared, the Lead City Agency shall file a Notice of Determination. The Notice shall include:

(1) An identification of the project including its common name, if any, and its location.

^{*} The form to be used for the Notice of Determination is attached to these Guidelines as Appendix D.

- (2) A brief description of the project.
- (3) The date on which the Decision-Making Body approved the project.
- (4) The determination of the Decision-Making Body whether the project in its approved form will have a significant effect on the environment.
- (5) A statement that an EIR was prepared pursuant to the provisions of CEQA and was certified as required by Section 9 of this Article.
- (6) Whether mitigation measures were made a condition of approval of the project.
- (7) Whether a Statement of Overriding Considerations was adopted for the project.
- (8) The address where a copy of the EIR and the record of project approval may be examined.

b. Filing of the Notice.

The Notice of Determination shall be filed with the County Clerk of any county where the project will be located and with the City Clerk.*

c. State Agency is Responsible Agency.

If the project requires the discretionary approval of a State agency, a copy of the Notice of Determination shall be sent to the Secretary for Resources.

d. City Council is Decision-Making Body.

In those instances where the City Council is the Decision-Making Body, the Notice of Determination shall be prepared by the Lead City Agency and transmitted to the City Clerk for filing after a decision on the project. The Notice of Determination shall be filed within one week after the Decision-Making Body acts upon the project.

^{*} Any action or proceeding alleging that an environmental impact report does not comply with the provisions of CEQA shall be commenced within 30 days after the filing of the Notice of Determination with the County Clerk. Public Resources Code, Section 21167(c).



ARTICLE VII. CATEGORICAL EXEMPTIONS

1. Classes of Categorical Exemptions.

The Secretary for Resources has provided a list of classes of projects which he has determined do not have a significant effect on the environment and which are therefore exempt from the provisions of CEQA. The following specific categorical exemptions within such classes are set forth for use by Lead City Agencies, provided such categorical exemptions are not used for projects where it can be readily perceived that such projects may have a significant effect on the environment:

a. Class l. Existing Facilities.

Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

- (1) Interior or exterior alterations involving remodeling or minor construction where there will be negligible or no expansion of use.
- (2) Operation, repair, maintenance or minor alteration of existing facilities of both investor and publicly owned utilities, electrical power, natural gas, sewage, water, and telephone, and mechanical systems serving existing facilities, including alterations to accommodate a specific use.
- (3) Operation, repair, maintenance or minor alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, storage areas, parking lots, aircraft parking areas, wharves, railroads, runways, taxiways, navigable waterways, bridle trails, service roads, fire lanes and golf-cart paths, except where the activity will involve removal of a scenic resource including but not limited to a stand of trees, a rock outcropping or an historic building.
- (4) Restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment and systems to meet current standards of public health, safety and environmental protection.

- (5) Additions to existing structures provided that the addition will not result in an increase of more than:
 - (a) 50 percent of the floor area of the structures before the addition or 2,500 square feet, whichever is less; or
 - (b) 10,000 square feet if:
 - (i) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
 - (ii) The area in which the project is located is not environmentally sensitive.
- (6) Addition of safety, security, health or environmental protection devices for use during construction of or in conjunction with existing structures, facilities or mechanical equipment, or topographical features (including navigational devices).
- (7) New copy on existing on and off-premise signs.
- (8) Maintenance of existing landscaping, native growth, water supply reservoirs; and brush clearance for weed abatement and fire protection (excluding the use of economic poisons as defined in Division 7, Chapter 2, California Agricultural Code).
- (9) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources, lakes and reservoirs.
- (10) Division of existing multiple family rental units into condomimiums or stock cooperatives.*

^{*} A multiple family rental unit is "existing" when the Department of Building and Safety has issued a certificate of occupancy.

- (11) Demolition and removal of individual small structures listed in this subdivision except where the structures are of historical, archaeological or architectural significance:
 - (a) Single-family residences not in conjunction with the demolition of two or more units;
 - (b) Motels, apartments, and duplexes designed for not more than four dwelling units if not in conjunction with the demolition of two or more such structures;
 - (c) Stores, offices, and restaurants if designed for an occupant load of 20 persons or less, if not in conjunction with the demolition of two or more such structures.
 - (d) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.
- (12) Outdoor lighting and fencing for security and operations.
- (13) Interior or internal modifications to established and discrete areas which are fully developed within the larger environment of parks or recreation centers, where such interior or internal modification is essentially a rearrangement (rather than an additive function) such as might occur at a zoo, outdoor museum, sports facility, arboretum, formal garden or similar display area.
- (14) Issuance, renewal or amendment of any lease, license or permit to use an existing structure or facility involving negligible or no expansion of use.
- (15) Installation of traffic signs, signals and pavement markings, including traffic channelization using paint and raised pavement markers.
- (16) Installation of parking meters.
- (17) Operation, repair, maintenance or minor alteration of surface pipelines serving industrial or commercial facilities and all subsurface pipelines.

- (18) Issuance of permits, leases, agreements, berth and space assignments, and renewals, amendments or extensions thereof, or other entitlements granting use of the following existing facilities and land and water areas involving negligible or no expansion of use and/or alteration or modification of the facilities or its operations beyond that previously existing or permitted:
 - (a) Municipal Warehouses and Transit Sheds.
 - (b) Municipal Wharves.
 - (c) Municipal Airports.
 - (d) Storage areas for domestic shipment-receipt and foreign import-export commodities.
 - (e) Office space.
 - (f) Surface or subsurface pipelines serving industrial or commercial facilities in the Harbor District.
 - (g) Municipal Utility Rights-of-Way.
- (19) The granting of variances by the Board of Police Commissioners from the requirements of Section 41.40 of the L.A.M.C., where the activity permitted will be completed within 30 days after the variance is granted.
- (20)Modernization of an existing highway, street, alley, walk, mall or minor drainage channel by construction of improvements, resurfacing, reconstruction, eliminating jut-outs, widening less than a single lane width, adding shoulders or parking lanes, adding auziliary lanes for localized purposes (turning, passing, and speed change), correcting substandard curves intersections, bottleneck bridge widenings not to exceed the width of the adjacent existing roadway approaches, and other bridge widenings less than an additional lane on the bridge. This exemption shall not be used where extensive tree removal will be involved.
- (21) Modifications to existing storm drain systems for collection of local water at alternate points within an existing local drainage area unless impact on a park is anticipated.

- (22) Granting or renewal of a variance or conditional use for a nonsignificant change of use in an existing facility.
- (23) Granting of a variance to permit continued operation of a non-conforming essential service or retail convenience after the mandated Zoning Code removal date.
- (24) Relocation of an existing use within a publicly owned facility.
- (25) Installation of fire hydrants on existing water mains.
- (26) Construction of erosion control facilities.
- (27) Zoning Administrator approval of foster care and day care homes pursuant to L.A.M.C. Section 12.27 E.
- (28) Zoning Administrator approval to use existing dwelling units as model homes.
- (29) Minor repairs and alterations to existing dams and appurtenant structures under the supervision of the Department of Water Resources.
- (30) Actions of the Board of Building and Safety Commissioners on Appeals of Determinations of the Superintendent of Building, except actions of the Commission taken pursuant to L.A.M.C. Sections 91.3002(f)-4-e.
- (31) Establishment or modification of any rate, fee or charge for the use of existing municipal facilities and services involving negligible or no expansion of use.
- (32) Installation, maintenance or modification of mechanical equipment and public convenience devices and facilitites which are accessory to the use of existing structures or facilities and involve negligible or no expansion of use.
- (33) The issuance, modification or relocation of police permits for antique shops, auto parks, auto rental, bath and massage, card club, card school, dancing academy, dance (public one night), escort bureau, figure studios, game arcade, games of skill and science, identification card, jewelry auction, locksmith, messenger service, nudist colony, pawnbroker, pool table (single), pool

tables, poolroom, billiard room, family billiard room, private patrol, rides/merry-go-round, rummage sale, sales (closing out and removal), secondhand (auto parts, books, jewelry and general), seller of concealable firearms, shooting gallery, towing operation, social clubs, and proprietor or subscriber alarm system.

- (34) Federally funded programs for revitalization of deteriorating urban areas for purposes of correcting building code violations and making other improvements to existing dwelling units, including coordinating those public improvements necessary to improve public facilities in connection with such revitalization. This exemption does not include the construction of new public facilities.
- (35) Minor extensions of, and connections between, existing taxiways which permit alternative aircraft ground maneuvering operations and involve negligible or no expansion of use.
- (36) The issuance, modification or relocation of animal regulation permits for impounding stray animals, destruction of animals declared to be a nuisance, disposal of old, crippled or infected dogs, neighborhood retail pet shops, animal trapping, keeping of wild animals as pets, and keeping of carrier or homing pigeons which are to be liberated for exercise or racing.
- (37) Crushing of cement concrete, asphalt concrete, masonry and other related materials resulting from demolition work when the crushing activity occurs on industrially zoned land, is in compliance with L.A.M.C. Secs. 112.04 and 112.05, and includes dust suppression measures sufficient to meet the requirements of the Southern California Air Quality Management District.
- (38) Conversion of a single residence to office use.
- (39) The conversion of existing commercial or industrial units in one structure from single to condominium type ownership.
- (40) Federally funded programs for the provision of public services that result in negligible or no impact on the physical environment and that do not involve the construction of new public or private facilities.

b. Class 2. Replacement or Reconstruction.

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced:

- (1) Replacement or reconstruction of existing schools, hospitals, recreation buildings and libraries to provide earthquake resistant structures which do not increase capacity more than fifty percent (50%).
- (2) Replacement of a commercial or industrial structure with a new structure of substantially the same size, purpose and capacity.
- (3) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
- (4) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.
- (5) Replacement or reconstruction of surface or subsurface pipelines involving negligible or no expansion of use beyond that previously existing.
- (6) Replacement or reconstruction of existing heating and air-conditioning systems.
- (7) Replacement of existing pedestrian stairways, including such additional rights of way as needed to bring the stairways up to current standards of length and width, providing that the project does not impact cultural resources or remove mature trees.

c. Class 3. New Construction of Small Structures.*

Class 3 consists of construction and location of limited numbers of new, small facilities or structures, installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable within a two year period. Examples of this exemption include but are not limited to:

- (1) Single family residences not in conjunction with the building of two or more units. In urbanized areas, up to three single family residences may be constructed under this exemption.
- (2) Apartments, duplexes and similar structures, designed for not more than four dwelling units if not in conjunction with the building of two or more such structures. In urbanized areas, the exemption applies to single apartments, duplexes and similar structures designed for not more than six dwelling units if not constructed in conjunction with the building of two or more such structures.
- (3) Stores, motels, offices, restaurants, and similar small commercial structures not involving the use of significant amounts of hazardous substances, designed for an occupant load of 30 persons or less, if not in conjunction with the building of two or more structures. In urbanized areas, the exemption also applies to commercial buildings on sites zoned for such use, if designed for an occupant load of 30 persons or less, if not constructed in conjunction with the building of 4 or more such structures and if not involving the use of significant amounts of hazardous substances.
- (4) Installation of new equipment and/or industrial facilities involving negligible or no expansion of use if required for safety, health, the public convenience, or environmental control.

^{*} See "Exception by Location," Section 4a of this Article.

- (5) Water main, sewage, electrical, gas and other utility extensions of reasonable length to serve already approved construction.
- (6) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, fences, game courts (including tennis courts accessory to residential developments), play areas and retaining walls.
- (7) Installation of scientific measuring, monitoring and testing devices.
- (8) Additions to underground electric and water utility distribution system facilities such as cables, conduits, pipelines, manholes, vaults and appurtenances, including connections to existing overhead electrical utility distribution lines.
- (9) Installation of surface and subsurface pipelines and equipment in industrial facilities involving negligible or no expansion of use beyond that previously existing.
- (10) Street lighting projects, with the exception of those systems where illumination levels would materially exceed minimum levels of illumination recommended in the current edition of the "American National Standard Practice for Roadway Lighting" as approved by the American National Standards Institute.
- (11) Sewers constructed to alleviate a high potential or existing public health hazard. Such sewers shall be of a size and capacity to serve only the area in need.
- (12) Storm drains constructed to collect low flow or alleviate other local drainage problems unless impact on a park is anticipated.
- (13) Offsite sewers as described in Section 64.11.2 of the L.A.M.C., of no greater diameter than 10 inches, that will serve an area local in nature.
- (14) Authorizations by the Department of Public Utilities and Transportation for the installation, relocation and/or replacement of police and fire boxes, and poles, guys and antennas external to existing buildings.

- (15) Recommendations by the Department of Public Utilities and Transportation for improved crossing protection.
- (16) Issuance by the Department of Public Utilities and Transportation of permits for ambulance driver or attendant, auto-for-hire, public service vehicle, motor bus, non-ambulatory passenger vehicle, or school bus.
- Projects involving less than 35 dwelling units or (17)15,000 square feet of commercial, industrial, governmental or institutional floor space where, as determined by the appropriate City department, the project is not in a designated hillside ("H") area or in an officially mapped area of severe geologic hazard, conforms with or is less intensive than the adopted plan, is a fill-in rather than an initial intrusion into an established pattern of development, is not in an officially designated Paleontological, Historical, Archaeological or Seismic Study Area, and, if residential, is more than 1,000 feet from a freeway, railway, or airport, except where the mitigation of potentially significant noise and air quality impacts to an insignificant level is ensured. If any grading will be required in connection with such projects, this Categorical Exemption shall not apply unless the grading is also exempted by Subsection d of Section 1 of this Article.

d. Class 4. Minor Alterations to Land.*

Class 4 consists of minor public or private alterations to the condition of land, water and/or vegetation which do not involve removal of mature, scenic trees except for forestry and agricultural purposes:

- (1) Grading on land with a slope of less than ten percent (10%), except where it is to be located in a waterway, in any wetland, in an officially designated (by federal, State or local governmental action) scenic area or in officially mapped areas of severe geologic hazard.
- (2) Grading on land with a slope of ten percent (10%) or more in connection with the construction of one single-family residence and accessory uses, or, if more than one single-family residence will be constructed on the land covered by the grading permit or use of the land is other than residential, grading involving 20,000 cubic yards or less. This exemption will not apply if the project is located in a waterway, in any wetland, in an officially designated (by federal, State or local governmental action) scenic area, in officially mapped areas of severe geologic hazard, or contains scenic trees.
- (3) New gardening, tree planting, or landscaping, but not including tree removal except dead, damaged or diseased trees or limbs.
- (4) Filling of earth into previously excavated land, and maintenance and preservation of land elevation in areas of land settlement and subsidence with material compatible with the natural features of the site.
- (5) Minor alterations in land, water and vegetation on existing officially designated wildlife management areas of fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production.

^{*} See "Exception by Location," Section 4a of this Article.

- (6) Temporary uses of land having no permanent effects on the environment, including but not limited to carnivals, parades, temporary locational filming, sales of Christmas trees, building materials storage on street or sidewalk during job, construction offices and tract sales offices.
- (7) The issuance, renewal or amendment of any lease, license or permit to use land involving minor alterations to the condition of the land.
- (8) The renewal or amendment of any lease which allows for a minor increase in leased acreage.
- (9) Watercourse permits.
- (10) Grading and/or paving of existing rights of way for parking where zoning laws permit such use, street access exists, and the project does not significantly impact local drainage patterns, cultural resources, or trees.
- (11) Zoning Administrator approval to erect and maintain temporary subdivision directional signs.
- (12) Minor trenching and backfilling where the surface is restored.
- (13) The creation of bicycle lanes on existing rights-of-way.
- (14) Relocation of residential structures located on lands acquired for a public use to a new site.
- (15) Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable State and federal regulatory agencies.
- (16) Corrective grading to repair slope failures and for restoration of previously graded areas to their original configurations.

e. Class 5. Alterations in Land Use Limitations.*

Class 5 consists of minor alterations in land use limitations in areas with less than a 20% slope, which do not result in any changes in land use or density, including but not limited to:

- (1) Minor lot line adjustments, side yard and setback variances not resulting in the creation of any new parcel nor in any change in land use or density.
- (2) Issuance of minor encroachment permits.
- (3) Minor street, alley and utility easement vacations where the vacated property does not constitute a buildable site that would allow a commercial or industrial development of more than 10,000 square feet or a residential development of more than 25 units.
- (4) Conveyances of minor miscellaneous easements, including street, alley or walkway easements.
- (5) Acquistion of public street easements and the construction of street improvements required pursuant to Section 12.37 of the L.A.M.C. including minor modifications and minor waivers of requirements.
- (6) Minor modifications of the conditions of previously approved tentative tract maps involving improved design features when no increase in the number of lots or parcels is proposed.
- (7) Changes in Council instructions related to a change of zone or height district.
- (8) Extensions of time to utilize "Q" provisions imposed upon changes of zone or height district, to utilize a variance or conditional use grant, or to record a final tract.

^{*} See "Exception by Location," Section 4a of this Article.

- (9) Interpretations and minor adjustments to the boundaries of zones or height districts limited by the existing provisions of Section 12.30 of the L.A.M.C.
- (10) Minor area variances, building location and configuration variances, yard variances, or slight modifications which do not result in any change in land use or additional dwelling units.
- (11) Department of Building and Safety Orders and Zoning Administrator Interpretations and appeals therefrom which do not result in any change in land use or additional dwelling units.
- (12) Zone changes that reduce the maximum intensity of use of the land, but do not change the nature of the use.
- (13) Zone changes or variances that merely conform zoning to an existing use where the existing use was legally commenced.
- (14) Zone changes from residential to P-l in connection with an already developed commercial or industrial use.
- (15) Acceptance of future streets to provide windows for sewer house connections.
- (16) Removal of minor vehicular access restrictions.
- (17) Dedication of easements for streets, alleys and walkways over City-owned property already improved as streets, alleys or walkways.
- (18) Conveyance of easements between public agencies for streets, alleys or walkways over properties already improved as streets, alleys or walkways.
- (19) Acquisition of easements for drainage and sanitary sewers for the conveyance of local drainage and sewage flow into existing outlet facilities.
- (20) Acquisition of easements for future streets, alleys and walkways.
- (21) Acceptance of future streets, alleys and walkways which are already improved as streets, alleys and walkways, as public streets, alleys and walkways.

- (22) Release of agreements on property involving lot ties, public easements dedications, and submittals of plans.
- (23) Granting or renewal of a variance or conditional use for a non-significant change of use of land.
- (24) Reversion to acreage in accordance with the Subdivision Map Act.
- (25) Establishment, change or removal of building lines.
- (26) Consolidation of contiguous properties into a lesser number of parcels which may involve the vacation of unimproved paper streets or alleys.
- (27) Termination of City Council approved zone changes or height district files if not implemented after three (3) years, including "T" removals and seven (7) step subdivisions subject to a withholding ordinance for dedication and improvements, if in conflict with the most recent City Council adopted community plan.
- (28) Acquisition of land for the purpose of acquiring fee title underlying an existing easement.
- (29) Acquisition of tax delinquent property where no use other than the existing use is contemplated.
- (30) Granting easements to other local agencies, utilities or private persons to accomplish activities that are categorically exempted by these Guidelines.
- (31) Transfer of jurisdiction of a portion of the Los Angeles City Street System to the County of Los Angeles to allow the County to improve the street.
- (32) Reduction of a conditional use site pursuant to Section 12.24 G. 2. of the L.A.M.C.
- (33) Zone variances to convert guest rooms into apartments.

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- (34) Granting a conditional use for the on-site consumption of alcoholic beverages pursuant to L.A.M.C. Sections 12.21 and 12.24, as amended by Ordinance No. 148,994 (effective March 1, 1977), provided that the premises where such alcoholic beverages will be dispensed and consumed do not exceed an occupant load of 200 persons, and provided that the premises will not also require an original dancehall, skating rink or bowling alley permit from the Los Angeles City Police Commission.
- (35) Granting of Zone Boundary Adjustments or Zone Changes incident to Subdivision pursuant to L.A.M.C. Section 12.32F.
- (36) Approval of Private Street Maps pursuant to Article 8, Chapter I of the L.A.M.C. to provide access to existing legal lots.
- (37) Approval of Reversion to Acreage Maps pursuant to L.A.M.C. Section 17.10.
- (38) Height District changes that reduce the intensity of development of land (L.A.M.C. Section 12.21.1).
- (39) Modification or removal of a "K" Horsekeeping Supplemental Use District (L.A.M.C. Section 13.05).
- (40) Acceptance of future streets and alleys dedicated pursuant to tract map procedures.

f. Class 6. Information Collection.*

Class 6 consists of basic data collection, research, experimental management and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for strictly information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded.

- (1) Permits for test holes in public areas which will be used for engineering evaluations for street, sewer, storm drain, buildings or utility installations.
- (2) Basic data collection, field testing, research, experimental management and resource activities of City departments, bureaus, divisions, sections, offices or officers which do not result in serious or major disturbance to an environmental resource.
- (3) Permits to drill test holes in navigable waters or submerged lands which will be used for chemical and biological engineering evaluations for marine facilities, and for chemical and biological analysis of sediments.

^{*} See "Exception by Location," Section 4a of this Article.

g. Class 7. Actions by Regulatory Agencies for Protecton of Natural Resources.

Not applicable at the present time to the City of Los Angeles.

h. Class 8. Actions by Regulatory Agencies for Protection of the Environment.

Class 8 consists of actions taken by regulatory agencies as authorized by State or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities are not included in this exemption.

- . (1) Industrial waste permits.
 - (2) Design approvals by the Municipal Arts Commission pursuant to Charter Section 165 and Section 91.4509(a) of the L.A.M.C.
 - (3) Renewals of permits by the Bureau of Street Maintenance for operation of existing sanitary landfills. (This exemption shall not be used where a new sanitary landfill site is to be established.)
 - (4) Acquisition of lands for the purpose of preserving flood plains and/or open space where no increase in use is proposed.

i. Class 9. Inspections.

Class 9 consists of activities limited entirely to inspection, to check for performance of an operation, or the quality, health or safety of a project, including related activities such as inspection for possible mislabeling, misrepresentation or adulteration of products:

- (1) Inspection of private refuse disposal sites.
- (2) Activities of City departments, bureaus, divisions, sections, offices or officers limited entirely to inspection, to check for performance of an operation, or the quality or safety of a project.

j. Class 10. Loans.

Not applicable at the present time to the City of Los Angeles.

k. Class 11. Accessory Structures.*

Class 11 consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities.

- (1) On-premise signs.
- (2) Parking lots under 110 spaces where no decking or undergrounding is involved.
- (3) Game courts, play equipment, drinking fountains, restrooms, fences, walks, visual screens, or single tennis courts constructed in residential areas.
- (4) Placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms or similar items in generally the same locations from time to time in publicly owned parks, stadiums, or other facilities designed for public use.
- (5) Signs located on City property managed by a City department which has a sign policy adopted by the City Council or, in the case of a proprietary department, by its Board of Commissioners.
- (6) Construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities.
- (7) Construction or placement of buildings, or additions to buildings, involving the addition of less than 15,000 square feet, which additions are accessory to existing commercial, industrial or institutional facilities.

^{*} See "Exception by Location," Section 4a of this Article.

(8) Authorizations by the Department of Airports for the installation, maintenance, relocation, replacement and/or removal of: structures: lighting, fencing and security facilities: navigational aids and facilities; noise and environmental monitoring systems and facilities: landscaping and screen walls; paving; pipelines; storage tanks and facilities; utility, sewer and drainage system facilities; mechanical and electrical equipment; and, other facilities which are accessory to the use of existing or approved airport structures, facilities, or operations, and involve negligible or no expansion of airpor+ operations beyond that previously existing or permitted.

1. Class 12. Surplus Government Property Sales.

Class 12 consists of sales of surplus government property except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in the Governor's Environmental Goals and Policy Report, prepared pursuant to Government Code Section 65041, et. seq. However, if the surplus property to be sold is located in those areas identified in the Governor's Environmental Goals and Policy Report, its sale is exempt if:

- (1) The property does not have significant values for wildlife habitat or other environmental purposes, and
- (2) Any of the following conditions exist:
 - (a) The property is of such size or shape that it is incapable of independent development or use, or
 - (b) The property to be sold would qualify for an exemption under any other class of categorical exemption in Article VII of these Guidelines, or
 - (c) The use of the property and adjacent property has not changed since the time of purchase by the public agency.

m. Class 13. Acquisition of Lands for Wildlife Conservation Purposes.

Not applicable at the present time to the City of Los Angeles.

n. Class 14. Minor Additions to Schools.

Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or five classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

(1) Minor additions to City operated training facilities within existing facility grounds where the addition does not increase original trainee capacity of the facility by more than 25% or five classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

o. Class 15. Minor Land Divisions.

Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have a slope greater than 20%.

p. Class 16. Transfer of Ownership in Land in Order to Create Parks.

Class 16 consists of the acquisition or sale of land in order to establish a park where the land is in a natural condition or contains historic sites or archaeological sites and either:

- (1) The management plan for the park has not been prepared, or
- (2) The management plan proposes to keep the area in a natural condition or preserve the historic or archaeological site. CEQA will apply when a management plan is proposed that will change the area from its natural condition or significantly change the historic or archaeological site.

q. Class 17. Open Space Contracts or Easements.

Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area. The cancellation of such preserves, contracts, interests of easements is not included.

r. Class 18. Designation of Wilderness Areas.

Class 18 consists of the designation of wilderness areas under the California Wilderness System.

s. Class 19. Annexations of Existing Facilities and Lots for Exempt Facilities.

Class 19 consists of only the following annexations:

- (1) Annexations to the City of Los Angeles of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.
- (2) Annexations of individual small parcels of the minimum size for facilities exempted by Subsection c of this Section, New Construction of Small Structures.

t. Class 20. Changes in Organization of Local Agencies.

Class 20 consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. Examples include but are not limited to:

- (1) Establishment of a subsidiary district.
- (2) Consolidation of two or more districts having identical powers.
- (3) Merger with a city of a district lying entirely within the boundaries of the City.

u. Class 21. Enforcement Actions by Regulatory Agencies.

Class 21 consists of actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate or other entitlement for use which is issued, adopted or prescribed by the regulatory agency or a law, general rule, standard or objective which is administered or adopted by the regulatory agency. Such actions include, but are not limited to, the following:*

- (1) The direct referral of a violation of a lease, permit, license, certificate or other entitlement for use or of a general rule, standard or objective to the Attorney General, District Attorney or City Attorney, as appropriate, for judicial enforcement.
- (2) The adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate or other entitlement for use or enforcing the general rule, standard or objective.

^{*} Construction activities undertaken by the public agency taking the enforcement or revocation action are not included in this exemption.

v. Class 22. Educational or Training Programs Involving No Physical Changes.

Class 22 consists of the adoption, alteration or termination of educational or training programs which involve no physical alteration in the area affected or which involve physical changes only in the interior of existing school or training structures. Examples include, but are not limited to the following:

- (1) Development of or changes in curriculum or training methods.
- (2) Changes in the grade structure of a school which do not result in changes in student transportation.

w. Class 23. Normal Operations of Facilities for Public Gatherings.

Class 23 consists of the normal operations of existing facilities designed for public gatherings where there is a history of the use of the facility for that purpose. Facilities included within this exemption include, but are not limited to, racetracks, stadiums, convention centers, auditoriums, amphitheaters, planetariums, swimming pools and amusement parks.

x. Class 24. Regulation of Working Conditions.

Class 24 consists of actions taken by regulatory agencies, including the Industrial Welfare Commission as authorized by statute, to regulate any of the following:

- (1) Employee wages.
- (2) Hours of Work.
- (3) Working conditions where there will be no demonstrable physical changes outside the place of work.

y. Class 25. Transfers of Ownership of Interests in Land to Preserve Open Space.

Class 25 consists of the transfers of ownership of interests in land in order to preserve open space. Examples include but are not limited to:

- (1) Acquisition of areas to preserve existing natural conditions.
- (2) Acquisition of areas to allow continued agricultural use of the areas.
- (3) Acquisition to allow restoration of natural conditions.
- (4) Acquisition to prevent encroachment of development into flood plains.

z. Class 26. Acquisition of Housing for Housing Assistance Programs.

Class 26 consists of actions by a redevelopment agency, housing authority, or other public agency to implement an adopted Housing Assistance Plan by acquiring an interest in housing units. The housing units may be either in existence or possessing all required permits for construction when the agency makes its final decision to acquire the units.

aa. Class 27. Leasing New Facilities.

Class 27 consists of the leasing of a newly constructed or previously unoccupied privately-owned facility by a local or state agency where the local governing authority determined that the building was exempt from To be exempt under this section, the proposed use of the facility shall be in conformance with existing State plans and policies and with general, community, and specific plans for which an EIR or Negative Declaration has been prepared, shall substantially the same as that originally proposed at the time the building permit was issued, shall not result in a traffic increase of greater than 10% of front access road capacity, and shall include the provision of adequate employee and visitor parking facilities. Examples of Class 27 include but are not limited to:

- (1) Leasing of administrative offices in newly constructed office space.
- (2) Leasing of client service offices in newly constructed retail space.
- (3) Leasing of administrative and/or client service offices in newly constructed industrial parks.

2. Procedures for Adding Categorical Exemptions.

a. New Classes.

Requests for new classes of categorical exemptions must be submitted to the State Office of Planning and Research. All such requests by Lead City Agencies shall be first submitted to the City Council for approval.

b. New Exemptions Under Existing Classes.

A Lead City Agency may petition the City Council to add a categorical exemption under an existing class. The Lead City Agency must provide the City Council with detailed information supporting its contention that the type of project in question does not significantly effect the environment. Where such projects may potentially be carried out in substantially different environments, specific mention should be made as to the type of environment in which the exemption may be applied.

3. Relation to Ministerial Projects.

The categorical exemptions listed above include classes of projects which in the City of Los Angeles are already exempted from the requirements of CEQA as ministerial. It is not necessary to refer to a project as categorically exempt if it is already exempt as ministerial.

4. Exceptions.

a. Location.

Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, State or local agencies.

b. Cumulative Impact.

The categorical exemption may not be used when the cumulative impact of successive projects of the same type in the same place may be significant. For example, annual additions to an existing building under Class 1.

ARTICLE VIII

ADDITIONAL ENVIRONMENTAL ASSESSMENT AFTER AN EIR OR A NEGATIVE DECLARATION HAS BEEN CERTIFIED AS COMPLETE

1. General Rules.

Where an EIR or a Negative Declaration has been prepared for a project and certified as complete pursuant to Article X of these Guidelines, an EIR or a supplement to a previously prepared EIR for the project will be required only if one or more of the following conditions occur:

- a. Subsequent changes are proposed in the project which will require important revisions of the EIR, or require an EIR if a Negative Declaration had been previously prepared, due to the involvement of new significant environmental impacts not considered in a previous EIR or Negative Declaration for the project.
- b. Substantial changes occur with respect to the circumstances under which the project is undertaken, such as a substantial deterioration in the air quality where the project will be located, which will require important revisions of the EIR, or require an EIR if a Negative Declaration had been previously prepared, due to the involvement of new significant environmental impacts not considered in a previous EIR or Negative Declaration for the project.
- c. New information of substantial importance to the project becomes available, and the following occurs:
 - (1) The information was not known and could not have been known at the time the EIR or Negative Declaration was certified as complete, and
 - (2) The new information shows any of the following:
 - (a) The project will have one or more significant effects not discussed previously in the EIR or Negative Declaration.
 - (b) Significant effects previously examined will be substantially more severe than shown in the EIR.
 - (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially

reduce one or more significant effects of the project.

(d) Mitigation measures or alternatives which were not previously considered in the EIR would substantially lessen one or more significant effects on the environment.

2. Procedures Where Project Has Not Been Approved.

Where the project has not yet been approved at the time the Lead City Agency becomes aware that one or more of the conditions set forth in Section 1 of this Article has occurred, the Lead City Agency shall conduct an Initial Study to evaluate the conditions to determine whether an EIR or a supplement to a previously prepared EIR is required.

- a. If it is determined pursuant to the Initial Study that the occurrence of one or more of such conditions will not require an EIR or a supplement to a previously prepared EIR, the Lead City Agency shall include the Initial Study in the record for the project, together with a statement that, based on the Initial Study, an EIR or a supplement to a previously certified EIR is not required.
- b. If it is determined that the occurrence of one or more such conditions will require a new EIR the Lead City Agency shall prepare and process the EIR pursuant to the requirements of Article VI of these guidelines.
- c. If a supplement to a previously prepared EIR is required, it shall be prepared and processed pursuant to the requirements of Section 4 of this Article.

3. Procedures Where Project Has Been Approved.

Where the project has been approved at the time the Lead City Agency becomes aware that one or more of the conditions set forth in Section 1 of this Article has occurred, the following procedures shall be followed.

a. Private Projects.

Where the project involves the granting of a lease, permit, license, certificate or other entitlement for use to other than an agency of the City of Los Angeles:

(1) If the conditions that occur do not involve a modification to the project that would require a modification of the entitlement for use, no

further action of the Lead City Agency is required.

(2) If the conditions that occur do involve a modification to the project that would require a modification of the entitlement for use, an Initial Study shall be conducted to determine whether the entitlement for use as modified may have a significant effect on the environment and a Negative Declaration, EIR, or supplement to a previous EIR, as appropriate, shall be prepared and considered prior to any action on the request for modification.

b. Public Projects.

Where the project involves an activity to be directly undertaken by an agency of the City of Los Angeles:

- (1) If the conditions that occur do not involve a substantial modification of the manner in which the project will be carried out and the City agency is committed to carrying out the project either by contract or by the expenditure of a substantial portion of the funds appropriated for the project, no further action of the Lead City Agency is required.
- (2) If the conditions that occur do not involve a substantial modification of the manner in which the project will be carried out and the City agency is not committed to carrying out the project either by contract or by the expenditure of a substantial portion of the funds appropriated for the project, the Lead City Agency shall comply with the provisions Section 2 of this Article.
- (3) If the conditions that occur do involve a substantial modification of the manner in which the project will be carried out, the Lead City Agency shall comply with the provisions of Subdivision (2) of Subsection a of this Section.
- (4) If the City of Los Angeles is a Responsible Agency and the project has been approved by the Lead Agency, the Lead City Agency shall conduct any environmental assessments and prepare any environmental documents made necessary by the provisions of this Article.

4. Supplement to an EIR.

- a. The Lead City Agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if:
 - (1) Any of the conditions described in Section 1 of this Article would require the preparation of a subsequent EIR, and
 - (2) Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.
- b. The supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.
- c. A supplement to an EIR shall be given the same kind of notice and public review as is given to a draft EIR under Sections 1.5, 3, 4, 5, 5.5 and 6 of Article VI of these Guidelines.
- d. A supplement to an EIR may be circulated by itself without recirculating the previous draft or final EIR.
- e. When the Decision-Making Body decides whether to approve the project, it shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 9.5 of Article VI of these Guidelines shall be made for each significant effect shown in the previous EIR as revised and a Statement of Overriding Considerations adopted if required by Section 10 of Article VI of these Guidelines.

ARTICLE IX

PROCEDURES FOR COMPLYING WITH CEQA WHERE THE CITY OF LOS ANGELES IS A RESPONSIBLE AGENCY

1. General.

A Responsible Agency complies with CEQA by considering documents prepared by the Lead Agency and by reaching its own conclusions on whether and how to approve the project involved. This Article identifies the special duties a Lead City Agency will have when the City of Los Angeles is acting as a Responsible Agency.

2. Determination of Responsibility for Complying with CEQA where the City of Los Angeles is a Responsible Agency.

a. Determination of Lead City Agency.

Where the City of Los Angeles is a Responsible Agency, the Lead City Agency shall be that City department, bureau, division, section, office, officer or agency that normally reviews the type of project involved and is responsible for making recommendations to the appropriate Decision-Making Body.

b. Determination of Decision-Making Body.

Where the City of Los Angeles is a Responsible Agency, the Decision-Making Body shall be the group or individual having approval authority over the type of project involved.

3. Response to a Request for Consultation.

- a. The Lead City Agency shall respond to any request for consultation by the Lead Agency to assist the Lead Agency in preparing adequate environmental documents for the project.
 - (1) In responding to a request for consultation during the Initial Study process, the Lead City Agency shall recommend to the Lead Agency whether an EIR or Negative Declaration should be prepared, and shall set forth the reasons therefor.
 - (2) In responding to a request for consultation during the public review period of a Negative Declaration, the Lead City Agency shall either agree that a Negative Declaration is appropriate

or shall identify the significant environmental effects which it believes could result from the project, and it shall either recommend that an EIR be prepared or that the project be modified to eliminate the significant effects.

- (3) In responding to a request for consultation initiated by a Notice of Preparation received from a Lead Agency, the Lead City Agency shall respond in writing by certified mail as soon as possible, but in no event later than 45 days after receipt of the Notice. The reply shall specify the scope and content of the environmental information which would be germane to the City of Los Angeles' statutory responsibilities in connection with the proposed project. The Lead City Agency shall designate representatives to attend meetings requested by the Lead Agency to discuss the scope and content of the EIR.
- (4) In responding to a request for consultation during the public review period of an EIR, the Lead City Agency shall either indicate that it believes the EIR is adequate or shall identify the areas where it believes the EIR is inadequate and the type of information needed to make the EIR adequate. If the Lead City Agency believes that any of the conclusions contained in the EIR are either incorrect or unsupported, it shall so advise the Lead Agency and shall set forth the basis of its opinion.
- (5) Any other City agency that is aware of the request for consultation may submit comments to the Lead City Agency for inclusion in the City's response.

4. Decision on Adequacy of Final EIR or Negative Declaration.

a. If the Lead City Agency believes that the final EIR or Negative Declaration prepared by the Lead Agency is not adequate for use by the City of Los Angeles in discharging its responsibilities as a Responsible Agency, the Lead City Agency must submit the matter to the City Attorney with a request that appropriate administrative and legal action be initiated. This submittal shall occur as early as possible to enable the City Attorney to file appropriate legal action, if necessary, within 30 days after the Lead Agency files its Notice of Determination. It shall be the responsibility of the Lead City Agency to ensure that the City Attorney has at least 10 working days in which to evaluate the matter and prepare and file any

necessary legal action. The City Attorney shall not initiate administrative or legal action if he determines that there is substantial evidence in the record supporting the adequacy of the EIR or Negative Declaration and such record indicates that the Lead Agency has proceeded in the manner required by law in processing the document.

- b. If a legal action challenging the adequacy of the final EIR or Negative Declaration is not commenced by the City of Los Angeles within 30 days after a Notice of Determination has been filed, the City of Los Angeles will be deemed to have waived any objection to the final EIR or Negative Declaration.
- c. If objections to the adequacy of a final EIR or Negative Declaration have been waived pursuant to the preceding paragraph, the Lead City Agency shall prepare a subsequent EIR only when required by the provisions of Article VIII of these Guidelines.
- 5. Consideration of the Final EIR or Negative Declaration by the Decision-Making Body.
 - a. A copy of the final EIR or Negative Declaration shall be forwarded to each member of the Decision-Making body as early as possible but no less that two days prior to consideration of the project by the Decision-Making Body.
 - b. The Decision-Making Body shall review and consider the contents of the final EIR or Negative Declaration in connection with the determination of whether or not to approve the project, and shall certify that it has done so prior to or concurrent with the decision on the project.
- 6. Duty to Mitigate or Avoid Environmental Damage Where the City of Los Angeles is a Responsible Agency.

When the City of Los Angeles is a Responsible Agency, the Decision-Making Body shall comply with the requirements of Section 9.5 of Article VI of these Guidelines regarding mitigation or avoidance of environmental damage, except that the Decision-Making Body shall have responsibility for mitigating or avoiding only those significant effects of the proposed project which are within the scope of the City's statutory authorities.

7. Statement of Overriding Considerations.

If there are substantial adverse environmental impacts resulting from that portion of the project to be carried out or approved by the City of Los Angeles that cannot feasibly be avoided or mitigated to an insignificant level, and it is the decision of the Decision-Making Body to carry out or approve the project, the Decision-Making Body shall cause to be prepared and shall adopt a Statement of Overriding Considerations pursuant to the requirements of Section 10 of Article VI of these Guidelines.

8. Conditional Approval.

If a lawsuit is filed by a person other than the City of Los Angeles challenging a Negative Declaration or EIR for noncompliance with CEQA, the Lead City Agency shall act as if the Negative Declaration or EIR complies with CEQA and continue to process the application for the project. In this situation, the Decision-Making Body shall have authority only to grant a conditional approval of the project. A court decision setting aside a project approval on the grounds that the Negative Declaration or EIR does not comply with CEQA will invalidate any conditional approval granted.

9. Notice of Determination.

After a decision is made to carry out or approve a project where the City of Los Angeles is a Repsonsible Agency, the Lead City Agency shall prepare and file a Notice of Determination in the same manner as required by Section 7 of Article V if a Negative Declaration is involved, or Section 11 of Article VI if an EIR is involved.

ARTICLE X

TIME LIMITATIONS FOR THE PROCESSING OF ENVIRONMENTAL DOCUMENTS

1. Projects Not Involving Federal Approval or Funding.

Where an application for grant of a lease, license, certificate, permit or other entitlement for use is received by a Lead City Agency, the Lead City Agency shall ensure that the following time limitations are met in preparing and processing environmental documents:

- a. The Lead City Agency shall complete its Initial Study and make a determination regarding whether the project may have a significant effect on the environment within 45 days after accepting the application as complete.
- b. If the determination is that the project will not have a significant effect on the environment, the Lead City Agency shall complete and adopt a Negative Declaration within 105 days after accepting the application as complete. Completion of a Negative Declaration within a 105 day period shall include the conduct of an initial study, public review, and the preparation of a document ready for approval by the decision making body of the public agency. Completion within the 105 day period need not include the approval of the Negative Declaration by the decision making body.
- c. If the determination is that the project may have a significant effect on the environment, the Lead City Agency shall complete and certify an EIR within one year after accepting the application as complete.
- d. For purposes of complying with this Section, each Lead City Agency shall designate an individual, individuals or a particular body to make the determination regarding whether the project may have a significant effect on the environment, and to adopt and certify the completeness of Negative Declarations and EIRs.

2. Extensions of the Time Limitations.

The following extensions of the time limitations set forth in Section 1 of this Article are permissible if compelling circumstances justify additional time and the project applicant consents thereto:

- a. A 15-day extension to make the determination regarding whether the project may have a significant effect on the environment.
- b. A 30-day extension to complete and adopt a Negative Declaration.
- c. A 90-day extension to complete and certify an EIR.

3. Projects Involving Federal Approval or Funding - Waiver of Time Limitations.

- a. The Lead City Agency may waive the time limitations set forth in Section 1 of this Article if all of the following conditions are met:
 - (1) The project will require both an EIR or a Negative Declaration under CEQA and an EIS or a Negative Declaration under NEPA;
 - (2) Additional time will be required to prepare a combined document that will satisfy both laws;
 - (3) The time required to prepare a combined document would be less than the time required to prepare each document separately; and
 - (4) The applicant has requested or consented to the waiver.
- b. If the Lead City Agency waives the time periods as provided in Subsection a of this Section, the Decision-Making Body of the Lead City Agency shall approve or disapprove the project within 60 days after the combined document has been completed.

4. Projects with Short Time Periods for Decision.

- a. A few statutes require agencies to make decisions on permits within time limits that are so short that review of the project under CEQA would be difficult. To enable the Lead Agency to comply with both the permit statute and CEQA, the Lead Agency shall deem an application for a project not received for filing under the permit statute until such time as the environmental documentation required by CEQA has been completed. This Section will apply where all of the following conditions are met:
 - (1) The enabling legislation for a program, other than Chapter 4.5 (commencing with Section 65920) of Division 1 of Title 7 of the Government Code,

- requires the Lead Agency to take action on an application within a specified period of time that is six months or less, and
- (2) The enabling legislation provides that the project will become approved by operation of law if the Lead Agency fails to take any action within such specified time period, and
- (3) The project involves the issuance of a lease, permit, license, certificate, or other entitlement for use.
- b. An example of a time period subject to this Section is the one requiring action on a tentative subdivision map by a local government within 50 days pursuant to Article 2 (commencing with Section 66452) of Chapter 3, Division 2, Title 2 of the Government Code.
- c. In any case covered by this Section the environmental document shall be certified and the decision on the application shall be made within one year from the date on which an application requesting approval of the project has been received and accepted as complete. This one year time limit may be extended once for a period not to exceed 90 days upon consent of the Lead City Agency and the applicant.



APPENDICES



COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK ROOM 395, CITY HALL LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(Article III, Section 3 — City CEQA Guidelines)

Submission of this form is optional. The form shall be filed with the County Clerk, 111 No. Hill St., Los Angeles, California 90012, pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21168(d), the filing of this notice starts a 35-day statue of limitations on Court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statue of limitations being extended to 180 days.							
LEAD CITY	AGENCY						COUNCIL DISTRICT
PROJECT T	ITLE					LOG RE	FERENCE
PROJECT L	OCATION					·	
		,			, .		
DESCRIPTIO	N OF NATUR	RE, PURPOSE, AND BE	NEFICIARIES	OF PROJEC	r:		
					,		
NAME OF P	ERSON OR A	GENCY CARRYING OU	T PROJECT,	IF OTHER T	HAN LEAD CITY AGE	NCY:	
CONTACT P	PERSON				AREA CODE TE	LEPHONE	NUMBER EXT.
EXEMPT ST	ATUS: (Check	(One)					
					CEQA ELINES		STATE EIR GUIDELINES
	MINISTER	IAL		Art. III,	Sec. 2b		c. 15073
	DECLARE	D EMERGENCY		Art. III,	Sec. 2a(1)	Sed	c. 15071(a)
	EMERGEN	ICY PROJECT		Art. III,	Sec. 2a(2) & (3)	Sec	c. 15071(b) & (c)
	GENERAL	EXEMPTION		Art. III,	Sec. 1	Sec	c. 15060
		ICAL EXEMPTION ss Cate	egory		, Sec. 1 tv. CEQA: Guidelin		c. 15100
	OTHER (See Public Resour				·	nd city guideline
JUSTIFICA		PROJECT EXEMP	TION:				
		THOOLOT EXEM					
		ANT, ATTACH CER	TIFIED DO		OF EXEMPTION F	INDING.	
SIGNATURE				TITLE			DATE
FEE: \$25.00		RECEIPT NO.	REC'D BY				DATE
		1					

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK ROOM 395, CITY HALL LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

SUMMARY SHEET

(Article IV — City CEQA Guidelines)

> POSSIBLE IMPACTS (Observations)			
POSSIBLE IMPACTS (Check where a Yes is appropriate)		В	C
ignificant Adverse Impact; B—Mitigation Measures Available; C—Unavoidable Adverse Impact	A	D	
a. Change in topography or ground surface relief features?			
b. Increase in wind or water erosion?			
c. Unstable or hazardous geologic or oil conditions?			
AIR			
a. Increased mobile or stationary air emissions or air quality?			
b. Creation of objectionable odors?			
WATER			
a. Change in absorption rates, drainage patterns, or surface runoff?			
b. Alteration to direction of any water course?			
c. Reduction in amount of water available for public water supplies?			
PLANT LIFE			
Reduction of the numbers of any unique or endangered species of plants?			
ವಿ. Reduction of existing mature trees?			
Change in diversity of species?			
ANIMAL LIFE .			
a. Reduction of the numbers of any unique or endangered species of animals?			
introduction or increase of any new animals?			-
Impact on any existing animal habitat?			
Increase in existing noise levels?			
Exposure of people to noise levels?			
HT Will proposal produce light or glare?			
LAND USE Alteration of the present or planned land use of the area?			
NATURAL RESOURCES			
a. Increase in consumption of any natural resource?			
b. Depletion of any non-renewable natural resource?			
POPULATION Any increase or alteration of the distribution, density of growth rate of the			
population?			
HOUSING Any increase in the demand for housing or reduction in existing housing?			
TRANSPORTATION/CIRCULATION			
a. Increase in traffic volume or change in circulation patterns?			
c. Increased hazards to vehicles, bicyclists or pedestrians?			
d. Impact on existing transportation systems?			
PUBLIC SERVICES			
a. Increase in demand for fire, police or other governmental services?			
b. Impact on school or recreational services?			
c. Increase in maintenance of public facilities including roads? ENERGY			
a. Use of additional amounts of fuel or energy?			
a. Use of additional amounts of fuel or energy? b. Increase in demand upon existing sources of energy or required development of new			
sources of energy?		·	
UTILITIES			
a. Demand on water, gas, power or communication systems?			
b. Impact on sewer or solid waste disposal?			
c. Impact on storm water drainage?			
a. Creation of any health hazard?			
b. Potential risk of explosion or release of chemicals or radiation in event of accident?			
AESTHETICS Will this project result in a diminishment or obstruction of a publicly available scenic vista, or in the creation of an offensive site visible to the public?			
collocate nesconces will this project impact or after any archaeological, paleontologis			
cal or historical site, structure, or object?			
ER .			

APPENDIX

ien. 149 2-81 Appendix B

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

KEGATIVE DECLARATION

(Article V — City CEQA Guidelines)

(Article V — C	only ocur c	ardennes,		
LEAD CITY AGENCY			COUNCIL DISTRICT	
PROJECT TITLE			CASE NO.	
PROJECT LOCATION				
PROJECT DESCRIPTION:				
		·		
NAME AND ADDRESS OF APPLICANT IF OTHER TO	HAN CITY AGE	NCY .		
FINDING:				
of Los Angeles has determined that the following reasons:	this project v	will not have a significant	effect on the env	_ of the City vironment for
► SEE ATTACHED SHEET(S) FOR AN	NY MITIGAT	ION MEASURES IMPOSE	D.	
"Any written objections received during the the Lead City Agency."	e public revi	ew period are attached to	gether with the	responses of
THE INITIAL STUDY PR	EPARED FO	OR THIS PROJECT IS	ATTACHED.	
NAME OF PERSON PREPARING THIS FORM	TITLE		TELEPHONE	NUMBER
ADDRESS		SIGNATURE (Official)		DATE

CITY CLERK'S USE

COUNTY CLERK'S USE

CITY OF LOS ANGELES CALIFORNIA ENVIRONMENTAL QUALITY ACT

KOTICE OF DETERMIKATION

(Article V, Section 7; Article VI, Section 11 City CEQA Guidelines)

Public Resources Code Section 21152(a) requires local agencies to submit this information to the County Clerk. The filing of the notice starts a 30-day statute of limitations on court challenges to the approval of the project pursuant to Public Resources Code Section 21167. Failure to file the notice results in the statute of limitations being extended to 180 days.						
EAD CITY AGENCY AND ADDRESS (Bidg, Street, City, State) COUNCIL DISTRICT						
PROJECT TITLE (INCLUDING ITS COMMON NAME, IF ANY)						
PROJECT DESCRIPTION AND	LOCATION					
CONTACT PERSON		STATE CLEARING HOUSE NUMBER	TELEPHONE NUMBER			
This is to advise that on the of the City of Los Angeles approved the above described project and has made the following determinations:						
SIGNIFICANT		ificant effect on the environment. significant effect on the environment				
MITIGATION MEASURES		e made a condition of project approve not made a condition of project ap				
OVERRIDING CONSIDERATION	☐ Statement of Overriding	Considerations was adopted. Considerations was not adopted. Considerations was not required.				
ENVIRONMENTAL IMPACT REPORT	the Office of the City Cl	Report was prepared for project a erk.* t Report was not prepared for the p	•			
NEGATIVE DECLARATION						
SIGNATURE		TITLE	DATE OF PREPARATION			
DISTRIBUTION: Part 1 — County Clerk Part 2 — City Clerk Part 3 — Agency Record Part 4 — Resp. State Agency (if any	·)	* OFFICE OF THE CITY CLERK Room 395, City Hall 200 N. Main Street Los Angeles, California 90012				

CITY OF LOS ANGELES CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF COMPLETION

OF DRAFT ENVIRONMENTAL IMPACT REPORT (Article VI, Section 3 — City CEQA Guidelines)

TO: STATE OF CALIFORNIA THE RESOURCES AGENCY SECRETARY FOR RESOURCES 1416 NINTH STREET, ROOM 1311

SACRAMENTO	, CALIFORNIA 95814
SHORT TITLE	CASE NO.
PROJECT LOCATION—SPECIFIC	
PROJECT LOCATION—CITY	PROJECT LOCATION—COUNTY
DESCRIPTION OF NATURE, SIZE, PURPOSE, AND BENEFICIARIES O	F PROJECT
LEAD CITY AGENCY	DIVISION
LEAD CITY AGENCY ADDRESS WHERE COPY OF EIR IS AVAILABLE (LEAD CITY AGENC	

▶ ALL DRAFT E.I.Rs PREPARED BY AGENCIES OF THE CITY WILL BE AVAILABLE FOR EXAMINATION AT:

OFFICE OF THE CITY CLERK ROOM 395, CITY HALL LOS ANGELES, CALIFORNIA

The information on this form is required to be submitted to the Resources Agency by Public Resources Code Section 21161. The information is used to help publicize the availablity of the EIR for public review. The information is maintained in the California EIR Monitor and on file in the Office of the Secretary for Resources, 1416 Ninth Street, Room 1311, Sacramento, California 95814, telephone (916) 445-9134.

APPENDIX F

ENERGY CONSERVATION

I. INTRODUCTION

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

- (1) decreasing overall per capita energy consumption,
- (2) decreasing reliance on natural gas and oil, and
- (3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.

Energy conservation implies that a project's costs effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, lifetime costs may be determined more by energy efficiency than by initial dollar costs.

II. EIR CONTENTS

Potentially significant energy implications of a project should be considered in an EIR. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances specific items may not apply or additional items may be needed.

- A. Project Description may include the following items:
- l. Energy consuming equipment and processes which will be used during construction, operation and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.
- 2. Total energy requirements of the project by fuel type and end use.
 - 3. Energy conservation equipment and design features.
 - 4. Initial and life-cycle energy costs or supplies.

- 5. Total estimated daily trips to be generated by the project and the additional energy consumed per trip by mode.
- 6. The project's projected transportation energy use requirements and its overall use of efficient energy transportation alternatives.
- B. Environmental Setting may include existing energy supplies and energy use patterns in the region and locality.
 - C. Environmental Impacts may include:
- l. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life-cycle including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
- 2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- 3. The effects of the project on peak and base period demands for electricity and other forms of energy.
- 4. The degree to which the project complies with existing energy standards.
 - 5. The effects of the project on energy resources.
 - D. Mitigation Measures may include:
- l. Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
- 2. The potential of siting, orientation, and design to minimize energy consumption, including consumption of energy for transportation.
 - 3. The potential for reducing peak energy demand.
- 4. Alternate fuels (particularly renewable ones) or energy systems.
- 5. Energy conservation which could result from recycling efforts.
- E. Alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy.

- F. Unavoidable Adverse Effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.
- G. Irreversible Commitment of Resources may include a discussion of how the project preempts future energy development or future energy conservation.
- H. Short-Term Gains versus Long-Term Impacts can be compared by calculating the energy costs over the lifetime of the project.
- I. Growth Inducing Effect may include the estimated energy consumption of growth induced by the project.

APPENDIX F

APPENDIX G

Factors to be Considered in Determining Significant Effect

A project will normally have a significant effect on the environment if it will:

- (1) Conflict with adopted environmental plans and goals of the community where it is located;
- (2) Have a substantial, demonstrable negative aesthetic effect;
- (3) Substantially affect a rare or endangered species of animal or plant or the habitat of the species;
- (4) Interfere substantially with the movement of any resident or migratory fish or wildlife species:
- (5) Breach published national, state, or local standards relating to solid waste or litter control;
- (6) Substantially degrade water quality;
- (7) Contaminate a public water supply;
- (8) Substantially degrade or deplete ground water resources;
- (9) Interfere substantially with ground water recharge;
- (10) Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as part of a scientific study of the site.
- (11) Induce substantial growth or concentration of population;
- (12) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system;
- (13) Displace a large number of people;
- (14) Encourage activities which result in the use of large amounts of fuel, water or energy;
- (15) Use fuel, water or energy in a wasteful manner;

- (16) Increase substantially the ambient noise levels for adjoining areas;
- (17) Cause substantial flooding, erosion or siltation;
- (18) Expose people or structures to major geologic hazards;
- (19) Extend a sewer trunk line with capacity to serve new development;
- (20) Substantially diminish habitat for fish, wildlife or plants;
- (21) Disrupt or divide the physical arrangement of an established community;
- (22) Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected;
- (23) Conflict with established recreational, educational, religious or scientific uses of the area;
- (24) Violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations.
- (25) Convert prime agricultural land to non-agricultural use or impair the agricultural productivity of prime agricultural land.
- (26) Interfere with emergency response plans or emergency evacuation plans.

APPENDIX G

CITY OF LOS ANGELES

CALIFORNIA ENVIRONMENTAL QUALITY ACT

ENVIRONMENTAL INFORMATION FORM-APPLICANT

(Initial Study Requirement)

DE GENERAL INFORMATION	
DEVELOPER OR PROJECT SPONSOR NAME:	DATE FILED WITH CITY
DEVELOPER OR PROJECT SPONSOR ADDRESS:	
PROJECT ADDRESS	ASSESSOR'S: ZONE
PROJECT ADDRESS	ASSESSOR'S: ZONE DISTRICT
•	Lot No.
CONTACT PERSON'S NAME	DAY PHONE
CONTACT'S ADDRESS	PROJECT PERMIT APPLICATION NO.
PROPOSED USE OF PROJECT SITE	
PROPOSED OUT TROUBER ONE	
List all related permits and public approvals required for this p	roject:
	·
•	
PROJECT DESCRIPTION	
SITE SIZE	SQUARE FOOTAGE
NUMBER OF FLOORS OF CONSTRUCTION	AMOUNT OF OFF-STREET PARKING REQUIRED
ATTACH THE FOLLOWING	
ATTACH THE FOLLOWING: Yes No	
1. Project Plans	
Copy of Proposed Project Schedule including any	
(A separate sheet containing a statement indicating this proclear explanation of why the application is required.)	description. oject involves a variance conditional use or rezoning application and a
4. Check and include requested data for one of the f	ollowing:
a. RESIDENTIAL Indicate the number of units, achedule of unit size	es, range of sales prices or rents, and type of household size expected.
☐ b. COMMERCIAL	
	gionally oriented, square footage of sales area and loading facilities.
C. INDUSTRIAL Indicate type, estimated employment per shift and ic	pading facilities.
d. INSTITUTIONAL	
Indicate the major function, estimated employment to be derived from project.	per shift, estimated occupancy, loading facilities, and community benefits

	eck am		separately list any of the items, numbers 5 through 16, that are applicable to the project including discussion.						
11 2	am	Ξ.							
3.6	No	5	Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground						
₫	<u></u>	Ů.	contours.						
ec	6. Change in scenic views or vistas from existing residential areas or public lands or roads.								
3		7. Change in pattern, scale or character of general area of project.							
J		8. Significant amounts of solid waste or litter.							
]		9.	Change in dust, ash, smoke, fumes or oders in vicinity.						
1		10.	Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing draining patter						
-		11.	Substantial change in existing noise or vibration levels in the vicinity.						
Strang		12.	Site on filled land or on slope of 10 percent or more.						
3. 70		13.	Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.						
3		14.	Substantial change in demand for municipal services (police, fire, water, sewage, etc.).						
Į.		15.	Substantially increased fossil fuel consumption (electricity, oil, natural gas, etc.).						
ı		16.	Relationship to a larger project or series of projects.						
-/									
		EHI	VIRONMENTAL SETTING:						
A			escriptions and photographs (snapshots or polaroid plates will be accepted) of the following:						
	٠	-	Describe the project site as it exists before the project, including information on topography, soil stability, plant and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and thuse of the structures.						
	•		Describe the surrounding properties and vicinity, including information on plants and animals and any cultura historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set back, rear yard, etc.).						
	_	CED	TIFICATION:						
~			eby certify that the statements furnished above and in the attached exhibits present the data and information re-						
			ed for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are and correct to the best of my knowledge and belief.						
Gi	LATL	IRE:	TITLE						
B									

CITY OF LOS ANGELES OFFICE OF THE CITY CLERK ROOM 395, CITY HALL LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

MITIAL STUDY AND CHECKLIST

(Article IV — City CEQA Guidelines)						
LEAD CITY AGENCY	COUNC	CIL DISTRICT DATE				
PROJECT TITLE/NO.		CASE NO.				
PREVIOUS ACTIONS CASE !	DOES have significant changes from DOES NOT have significant changes					
PROJECT DESCRIPTION:		•				
PROJECT LOCATION						
PLANNING DISTRICT		STATUS: PRELIMINARY PROPOSED ADOPTED date				
EXISTING ZONING	MAX. DENSITY ZONING	PROJECT DENSITY				
PLANNED LAND USE & ZON		DOES CONFORM TO PLAN DOES NOT CONFORM TO PLAN				
PLAN DENSITY RANGE	PROJECT DENSITY	□ NO DISTRICT PLAN				
DETERMINATI	ON (to be completed by Lead City Ag	gency)				
On the basis of the att	rached initial study checklist and eval	luation:				
NEGATIVE DECLARATION	☐ I find the proposed project COULD and a NEGATIVE DECLARATION wi	NOT have a significant effect on the environmen ill be prepared.				
CONDITIONAL NEGATIVE DECLARATION	ment, there will not be a significant ef described on an attached sheet hav	oject could have a significant effect on the environ ffect in this case because the mitigation measure we been added to the project. A CONDITIONA E PREPARED. (See attached condition(s))				
ENVIRONMENTAL IMPACT REPORT	☐ I find the proposed project MAY have ENVIRONMENTAL IMPACT REPORT	e a significant effect on the environment, and an is required.				
	SIG*'ATURE	TITLE				

I-1

APPENDIX I

Form Gen. 159 - Page 1 of 4 (R2-81) Appendix I)

c. Introduction of new species of plants into an area, or is a barrier to the normal replenishment of existing species?.....

d. Reduction in acreage of any agricultural crop?.....

a. Use of exceptional amounts of fuel or energy?b. Increase in demand upon existing sources of energy, or require the development of new sources of energy?

Gen. 159 — Page 4	YES MAYBE NO
16. UTILITIES. Will the proposal result in a need for new systems, or alterations to the following utilities:	
a. Power or natural gas? b. Communications systems? c. Water?	
d. Sewer or septic tanks?	
f. Solid waste and disposal?	
17. HUMAN HEALTH. Will the proposal result in: a. Creation of any health hazard or potential health hazard (excluding mental health)?	
b. Exposure of people to potential health hazards?	
18. AESTHETICS. Will the proposed project result in:	
 a. The obstruction of any scenic vista or view open to the public? b. The creation of an aesthetically offensive site open to public view? c. The destruction of a stand of trees, a rock outcopping or other locally recognized desirable aesthic natural feature? d. Any negative aesthetic effect? 	
19. RECREATION. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	
20. CULTURAL RESOURCES:	
a. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological site?b. Will the proposal result in adverse physical or aesthetic effects	
to a prehistoric or historic building, structure, or object? c. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	
d. Will the proposal restrict existing religious or sacred uses within the potential impact area?	
21. MANDATORY FINDINGS OF SIGNIFICANCE.	
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.	
c. Does the project have impacts which are individually limited, but cumulatively considerable?*	
stantial adverse effects on human beings, either directly or indirectly?	
"Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	
	additional f necessary)
	a property of the second

TELEPHONE

DATE

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK ROOM 395, CITY HALL LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

GEKERAL EXEMPTION

(ARTICLE III, SECTION 1 - CITY CEQA GUIDELINES)

Free-value			-		
LEAD CITY AGENCY			COUNCIL DISTRICT		DATE
				17	
PROJECT TITLE			1	OG REFE	RENCE
PROJECT LOCATION					
PROJECT DESCRIPTIO	Ni.				
PROJECT DESCRIPTIO	N:				
				,	
NAME OF PERSON O	R AGENCY CARRYING	OUT PROJECT, IF OTHER THA	N CITY AGENCY:		
FINDINGS:					
▶ The		with reasonable certainty to the following reasons:		of	the City of Los Angeles
has determined	that it can be seen	with reasonable certainty to	hat this project of	could no	t possible have a sig-
mineant enect on	the environment for	the following reasons.			
	*				
	sheet if necessary)				
SIGNATURE		TITLE		D	ATE
	RECEIPT NO.	DECID BY			A T.F.
	NECEIPT NO.	REC'D BY		D	ATE
FEE: \$25.00					

DISTRIBUTION: Part 1 - Decision Making Body; Part 2 - City Agency

Form Gen. 151 (8-80) (Appendix J)



Enm Car 464 18 Ent 14-4-4- W)

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK ROOM 395, CITY HALL LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

KOTICE OF PREPARATION

(Article VI, Section 2 — City CEQA Guidelines)

70				1		
TO:	RESPONSIE	BLE OR TRUSTEE AGENCY	FRO	M:	LEAD CITY AGENCY	
		ADDRESS (Street, City, Zip)			ADDRESS (Street, City, Zip)	
					(2000)	
▶ S	UBJECT:	Notice of Preparation of a	a Draft Environmen	nta	I Impact Report	
PROJE	CT TITLE				CASE NO.	
						1011-10
PROJE	CT APPLICA	NT, IF ANY		_		
				-		
	The 014	of the America will be the t				
					epare an environmental impact re our agency as to the scope and	
					gency's statutory responsibilities	
					use the EIR prepared by this Cit	ty when
	conside	ring your permit or other app	roval for the project			
	The proj	act description location and	the probable environ	ma	ntal effects are contained in the a	ettached
	material		the probable environ	1116	mare rects are contained in the a	ittacrico
	□ A co	ny of the Initial Study is attach	ad		10	
	☐ × co	py of the Initial Study is attach	ea.			
	A co	by of the Initial Study is not att	ached.			
		he time limits mandated by s later than 45 days after red		se	must be sent at the earliest possib	ble date
	Dut not	later than 40 days after rec	espe of this notice.			
	Diagon					
		end your response to	hown shove We will	ne	ed the name of a contact person	_ at the
	agency.			,,,	or the frame of a contact person	,
	Note: If the Responsible or trustee agency is a state agency, a copy of this form must be sent					
					ning and Research, 1400 Tenth	
	Sacramento, California 95814. A state identification number will be issued by the Clearing-house and should be thereafter referenced on all correspondences regarding the project,					
					EIR and on the Notice of Determ	
SIGNA"	TURE	1.	TITLE		TELEPHONE NUMBER DA	ATE
	7-1-1				January Market	